

23 M A C T 982/25 RAKESH KUMAR Vs. RAHUL

12.11.2025

Fresh DAR has been received through FC, filed by IO/ASI Rajinder Singh, PS Sultanpuri. It be checked and registered.

Present : Sh. Keshav Jha, Ld. counsel for petitioner alongwith petitioner in person.

Sh. N.D. Joshi, ld. Counsel for R1.

None for R2.

IO ASI Rajinder Singh in person.

Ld. Counsel for petitioner and R1 have filed vakalatnama. Same is taken on record.

IO ASI Rajinder Singh submits that all the documents has been verified and there is no insurance policy at the time of accident, however, chargesheet is yet to be filed before concerned JMFC.

Ld. Counsel for petitioner submits that there is no other claim petition filed on behalf of petitioner anywhere in India except the present DAR. Hence, the present DAR is treated as petition U/s 166 (4) MV Act 1988.

IO has supplied copy of DAR to the petitioners as well as respondents.

The respondents are directed to file reply/offer by NDOH.

Petitioner i.e. Rakesh Kumar directed to open MACT Claim SB Account in terms of order dated 07.12.2018 passed by Hon'ble High Court of Delhi in Rajesh Tyagi and Ors Vs. Jaibir Singh and Ors, FAO No. 842/03.

Petitioner is also directed to open this accounts in a bank near the place of residence and produce the original pass book on the

NDOH with direction to Branch Manager not to issue any cheque book or debit cards to the account holder/petitioners for the said account and if already issued in any account opened, same be cancelled. While opening the account the bank is directed not to permit any joint name to be added in the saving account/FD account of the petitioner and make the endorsement to that effect in the pass book.

The petitioner also directed to file copy of PAN Cards and Aadhar card on NDOH and he shall remain present on NDOH for recording his statement as per clause 29 (now 26) of MCTAP.

Issue notice to R2 through IO for next date of hearing.

Parties submits that there is possibility of settlement in this case. Hence, the present case is referred for mediation. Parties are directed to appear before mediation cell on 21.11.2025 at 12:30 pm.

List for 07.01.2025.

(Vikram)
DJ-1+ MACT, N/W, Rohini Courts,
12.11.2025