

MACT: 267/22
Jitender Kumar v. OmPrakash

19.08.2023

Present: None for claimant.
Sh. M.K. Arora, Ld. Counsel for insurance company.

He filed reply alongwith report of investigator. Additional copy for claimant placed on record.

R-1&R-2 already served through electronic mode/ Whatsapp but absent despite service.

Heard.

On the basis of pleadings, following issues are being framed:

- 1. Whether this Tribunal has territorial jurisdiction to deal with present case? OPP.**
- 2. Whether the injured suffered injuries in a road traffic accident on 22.01.2022 due to rash and negligent driving of vehicle bearing no. DL-1LS-6993(TATA 407A) driven by R-1 and owned by R-2 and insured with R-3? OPP.**
- 3. Whether the petitioner is entitled to any compensation and if so, to what extent and from whom ? OPP.**
- 4. Relief.**
- 5.**

Having regard to the nature of issue no.1, same is treated as preliminary issue.

Put up for evidence on such preliminary issue only in the court itself on the NDOH.

Advance copy of affidavit of evidence on this issue no.1 only be supplied to respondent side by the claimant side at least one week before NDOH, in case claimant wants to lead evidence on the same.

(Naveen Kumar Kashyap)
PO-MACT (South-East)
Saket Court/ New Delhi
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At this stage, Sh. Ankush, Ld. Counsel for claimant appeared.

It is further pointed out by counsel for claimant that cost is not paid by respondent side. Same is noted.

He is apprised of the order passed in the morning.

(Naveen Kumar Kashyap)
PO-MACT (South-East)
Saket Court/ New Delhi
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