

MACT 757/21 URMILA DEVI Vs. MAYANK

28.11.2022.

Present: Ms. Sneha, Counsel for petitioner with petitioner.
Sh. Madhukar Verma with Sh. Rajesh Khari, Counsel
for R-1 & 2.
Sh. M. Z. Iqbal, Counsel for Insurance company

WS filed on behalf of R-1 & 2. copy supplied.

A copy of certified copy of ord. dt. 27.07.2022 passed by Ld. Presiding Officer, MACT, Faridabad, placed on record by Ld. Counsel for petitioner stating that accident report form no. 54 is disposed off in view of present petition filed before this Tribunal in Delhi by the petitioner.

But admittedly a DAR/ form 54/ accident report filed by the concerned police officials. As per such record, therefore having regard to sub section 4 of Section 166, same need to be clubbed and tag with the present petition, as such, **let a notice be issued to concerned IO/ SHO to file a copy of such DAR before this tribunal.**

Further, petitioner are also at liberty to move appropriate application before the concerned MACT Court Faridabad, for transferring the original DAR record to this tribunal as petitioner want to proceed further in Delhi.

It is further stated by Ld counsel or present R-3/ National Ins. Co. Ltd. that they are not liable for the present claim for third party, as insurance with such insurance company is only for own damage and as per the information, insurance if any for

third party claim is with TATA AIG Gen. Ins. Co. as such petitioner is at liberty to take steps for adding Tata AIG.

Further, put up for arguments and appropriate order regarding deletion of such R-3 on next date.

R-3 is directed to supply a copy of their reply to the petitioner if not already supplied.

A copy of this order be given dasti to both the parties at request.

Further, issue notice to the IO/ SHO concerned with a copy of such order for doing the needful as stated above.

Put up for **03.02.2023**.

(Naveen Kumar Kashyap)
PO-MACT (South-East)
Saket Court/ New Delhi
28.11.2022. rpt