

MACT 25/23

AARTI @ AARTI SAXENA & ORS VS. JAYANTI & ORS.

17.01.2023

Fresh Petition filed it be checked and registered.

Present: Sh. Ankit Shrivata, Advocate for petitioner.

Submissions heard.

In the present matter, accident had taken place on 19.08.2022 within the jurisdiction of police station Parixitgarh Meerut. Neither the petitioner nor the respondents reside within the jurisdiction of this tribunal. As per section 159 of the Motor Vehicle Act, which was notified from 1st April 2022 the police officer concerned has statutory obligation to prepare an Accident Information Report to facilitate the submission of claims within 3 months and containing such particulars, submit the same to the Claims Tribunal. The object of the said provision of law enacted through the amendment with effect from 1st April 2022 is to bind the police officer concerned to file detailed Accident Report to the claims Tribunal concerned having jurisdiction over the area where the accident took place. However, it is not clear whether the DAR has been filed by the police officer or not in this matter before concerned Tribunal. Two separate claim petitions cannot sustain together on same facts and circumstances before two different Tribunals at the same point of time. Therefore, it is necessary to know the current status of the filing of the DAR, if any, before the concerned Learned Tribunal. Hence, petitioner is directed to inquire about the current status of DAR and submit the report here through concerned police officer.

Put up for further proceedings on 09.05.2023.

(Dr. Tarun Sahrawat)
PO MACT/SHD/KKD/Delhi
17.01.2023