

MACT 23/22

DAR-KANISHK GUPTA Vs. RAHUL SHARMA

17.11.2022

Present:- Sh.K.P.Singh, Advocate for petitioner.

Sh.Vinod Kumar, Proxy counsel for Sh. Rajesh Goel
Advocate for Insurance Company.

None for respondent no 1 & 2.

perusal of record shows that none has been
appearing on the behalf of respondent no.1 & 2 for
the last 3-4 dates. In these circumstances, respondent
no.1 & 2 are proceeded ex-parte.

WS of Insurance company is already on record.

Pleading of the parties are complete. As per the
pleadings of parties following issues are framed:

1. Whether petitioner suffered injuries during the
accident occurred on 23.05.2021 at about 07:2 pm in front of
Gurudwara Anand Vihar within the jurisdiction of PS Anand
Vihar due to rash and negligent driving of the vehicle bearing
No. DL 14CC 5393 being driven by respondent No. 1 / driver?
OPP

2. Whether petitioner is entitled for compensation, if
so, to what extent and from whom? OPP.

3. Relief.

No other issues arises or pressed.

At this stage, an application made on behalf of
petitioner for direction to Medical Superintendent for issuance of
disability certificate.

Ld. Counsel for petitioner has submitted that there is
a probability that the petitioner has suffered permanent disability
due to the accident.

Heard. Application perused. Allowed.

In view of the above, M.S., GTB Hospital is requested to constitute a medical board for evaluation of nature and extent of disability of the petitioner namely Kanishk Gupta and submit report in this court on or before next date of hearing. Separate order in specified format (Form J) be sent to the M.S., GTB Hospital to do the needful in time bound manner. The petitioner is directed to approach MS of the hospital within 10 days for assessment. Copy of this order be sent to M.S., GTB Hospital for compliance. Along with the disability certificate, the assessment sheet be also enclosed and M.S., GTB Hospital is requested to incorporate in the disability certificate as to what all activities the petitioner / injured will not be able to carry out due to the disability. Copy of this order be given to petitioner free of cost.

The claim cases bearing MACT No.23/22 and MACT No. 24/22 arise out of same accident. Therefore, for the purpose of inquiry, both the claim cases are consolidated. Claim case bearing MACT No.23/22 would be considered as main case and common evidence would be recorded and same shall be kept in the file of main case.

Put up for PE / cross on 27.03.2023. List of witnesses be filed within seven days. Evidence be led by way of affidavit with advance copy of same to opposite party at least 02 weeks before NDOH.

(Dr.Tarun Sahrawat)
PO-MACT/SHD/KKD
17.11.2022