

2 MACT 179/24

DAR-RAMFER PAL Vs. MANISH KUMAR MADAN

31.05.2025

Present:- Sh. Tushar Raghav, proxy counsel for the petitioner.
Sh. Vipin Arora, Ld. counsel for respondent no.1.

Matter is passed over till 11.00 a.m.

(Vijay Kumar Jha)
PO (MACT-01)/SHD/Delhi
31.05.2025

At 11.00 a.m.

Present:- Sh. Madhur Goel, proxy counsel for the petitioner.
Sh. Vipin Arora, Ld. counsel for respondent no.1.
None for respondent/insurance co.

Notice to the owner of the offending vehicle, namely Munni Lal returned with the report that Munni Lal is the resident of Bihar, earlier he had appeared before the court twice and now after spending Rs.5-6,000/- he is unable to appear before the court.

In these circumstances, Munni Lal/respondent no.2 is hereby proceeded exparte.

The Tribunal is in receipt of letter dated 28.04.2025 of Dr. Seema Prakash from GTB Hospital apprising the Tribunal that petitioner has to take steps for the issuance of permanent Disability Certificate and also to clarify regarding variations in his name.

Pleadings are complete. *Inter alia* in the legal offer filed by the respondent/insurance co. under Section 170 of Motor Vehicle Act permission has been sought to contest the matter on all grounds available to the alleged owner and driver.

As the legal offer was conditional issue of rashness and/or negligence is also to be framed.

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

(i). Whether Sh. Ram Pher Pal got injured in a motor vehicular accident occurred on 14.07.2023 at 05.00 p.m. over G.T. Road Flyover, Lal Bagh Jhuggi, Shahdara within jurisdiction of PS M.S. Park, due to rash and negligent driving of offending vehicle i.e. TSR bearing registration No.DL-1RQ-6410 driven by respondent no. 1 Sh. Manish Kumar Madan (driver)? (OPP).

(ii). Whether the petitioner is entitled to compensation on account of said accident and if yes, to what extent and from whom? (OPP).

(iii) Relief.

List of witnesses be filed by the parties within two weeks from today. Advance copy of evidence by way of affidavit of petitioner's witnesses be supplied to the respondents at least 7 days before NDOH.

Put up for PE on **15.09.2025**.

(Vijay Kumar Jha)
PO (MACT-01)/SHD/Delhi
31.05.2025