

MACT 296/23

DAR-SAURABH KUMAR VS. PREM CHAND

24.01.2024

Present:- Sh.J.P.Sharma, Advocate for petitioner with
petitioner.

Sh.Vandana Surana, Advocate for Insurance
Company (through video conferencing).

Sh.Mohseen Khan, Advocate for respondent no. 1 &
2.

Rejoinder filed by Ld. Counsel for petitioner for
written statement of all three respondents alongwith original
bills. One copy of the same is retained on record for respondent
no. 3/Insurance company and same be supplied to the ld. Counsel
for Insurance company.

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 28.09.2022 at about 06:30 am at main
Wazirabad Road, Ashok Nagar Flyover within the jurisdiction of
PS Jyoti Nagar due to rash and negligent driving of the vehicle
bearing No. HR 38 Y 4863 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 Saurabh Kumar 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 alongwith 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.

Put up for further proceedings on 21.03.2024.

(Dr.Tarun Sahrawat)
PO-MACT-01/SHD/KKD
24.01.2024