

MACT 449/23

KM. KIRAN PANDEY AND ANR VS. DILEEP KUMAR YA-
DAV AND ANR

04.01.2024

Present:- Sh.Akhilesh Kumar, Advocate for petitioner.

Sh.Amit Kumar Rohilla, Advocate for respondent
no. 1 with R-1.

None for remaining respondents.

Fresh Vakalatnama filed on behalf of respondent
no.1.

WS filed by respondent no.1. Copy supplied.

None is present on behalf of respondent no. 2
despite service. Accordingly, he is proceeded with ex-parte.

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

1. Whether Respondent No. 1 was driving the
offending vehicle No. DL 12CN 6240 on 30.06.2023 at about
10:30 am near 41.3 miles stone on Agra Lucknow Express Way
within the jurisdiction of PS Metsena, Firozabad, U.P. in a rash
and negligent manner and caused the death of deceased
Sh.Rajesh KumarPandey ? OPP

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

3. Relief.

No other issues arises or pressed.

The claim cases bearing MACT No. 448/22 and
MACT No. 449/22 arise out of same accident. Therefore, for the
purpose of inquiry, both the claim cases are consolidated. Claim
case bearing MACT No. 449/22 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 11.03.2024. 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-01/SHD/KKD
04.01.2024