

8 MACT 373/22
RAJESH Vs. RAJAT AGARWAL

13.03.2024

Present: Advocate Shri Ajit Kumar for injured.
Advocate Ms. Kanksha Gupta for R1 (driver-cum-owner).
Advocate Ms. Sunanda Nimisha for R2/HDFC Ergo General Insurance Co.

Disability Certificate has not been filed despite notice to MS, DDU Hospital, Hari Nagar, New Delhi served on 24.02.2024.

Following issues are settled on the basis of pleadings:

1. ***Whether injured Rajesh is entitled to receive compensation on account of injuries suffered due to rash and negligent driving of Creta Car No. UP-16BM-3311 by R1/Rajat Aggarwal (driver-cum-owner) on 27.12.2020 which car was insured with R2/ HDFC Ergo General Insurance Co. ? ...OPP***
2. ***If issue No.1 is decided in affirmative, then what will constitute just compensation payable to injured and by whom? ...Onus on Parties***
3. ***Relief .***

No other issue arises or is pressed for.

Affidavit to be tendered in evidence be filed with advance copy to respondents/counsels.

Matter be listed on **03.07.2024 for petitioner's evidence.**

Copy of order dated 12.04.2023, 24.01.2024 and order of even date be attached with fresh notice to MS, DDU Hospital, Hari Nagar, Delhi directing him to file disability certificate on next date.

(Tarun Yogesh)
PO, MACT-01, Dwarka Courts,
New Delhi/13.03.2024