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MACT 377/21

**RAMBALI KUMAR Vs. DHRUV KALRA**

**27.09.2023**

**Present:** Petitioner with Ld. counsel-Sh. Ajender Sisodia.  
Ms. Sunanda Nimisha-Ld. Counsel for insurance  
company.  
None for R1 and R2.  
IO / ASI-Manoj Kumar.

Ld. counsel for petitioner submits that an application u/s 151 CPC for seeking direction to Deen Dayal Upadhyay Hospital, Hari Nagar, New Delhi to examine and issuance of disability certificate, to the injured, is to be decided.

Ld. Counsel for the petitioner/injured further submits that the petitioner/injured- Rambali Kumar s/o Mahender Mahto has sustained injuries and Disability Certificate will be required for proper adjudication of the instant matter and he prays that appropriate directions in this regard may be issued to DDU Hospital, New Delhi.

In view of the above and in the interest of justice, Medical Superintendent of the DDU Hospital, New Delhi is directed to opine as to whether the injured had suffered the injuries in the accident and whether the said injuries are of permanent nature or not. Further, mandate of *Raj Kumar v. Ajay Kumar and Anr.* (2011) 1 SCC 343 and guidelines issued by the Ministry of Social Justice and Empowerment, Government of India vide Gazette Notification S. No. 61, dated 05.01.2018 be followed while issuing disability certificate, if any.

For the abovesaid purpose, the petitioner/injured is required to be examined. Accordingly, petitioner is directed to appear before the Medical Superintendent of the aforesaid hospital **within 15 days**, who will constitute a medical board and will submit the report to this Court on or before NDOH. Copy of this order be sent to Medical Superintendent of the aforesaid hospital for information / compliance.

At this stage, J-Form furnished and same is accepted.

Be put up for the above-said report of M. S. of the aforesaid hospital and for PE on 07.02.2024.

**(Rekha)**

**PO, MACT-01, Dwarka Courts,  
New Delhi/27.09.2023**