

MACT NO. 582/19

LORI KUMAR @ LORI GOUND VS. KISHAN LAL MEENA
AND ORS.

08.07.2022

Present: Sh. K.K. Dubey -ld. Counsel for petitioner with one lady. Ld. Counsel submits that lady present with him is Lori Kumari @ Lori Gound and is injured/petitioner in this present matter.

Respondent no. 1 in person.

Sh. Dalchand-ld. Counsel for R-2.

Sh. Ravi Sabarwal-ld. Counsel for R-3.

Ld. Counsel for petitioner submits that some facts came in the knowledge of the petitioner after the charge-sheet has been filed and an application U/o VI Rule 17 PC is pending.

Report be called from concerned SHO. The concerned SHO is directed to verify the factum of age of the petitioner.

Issue notice to IO for NDOH.

Ld. Counsel for petitioner submits that he is moving an application U/s 151 CPC on behalf of injured/petitioner for issuance of disability certificate.

Ld. Counsel for the petitioner further submits that the petitioner/injured- Lori Kumari @ Lori Gound, D/o Sh. Brahmashankar has sustained grievous 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 any Govt. Hospital.

In view of the above and in the interest of justice, Medical Superintendent of the DDU Hospital, 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

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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 M. S. of the aforesaid hospital for information / compliance.

At this stage, J-Form furnished.

Certain clarifications are required.

Be put up for 10.07.2022 for clarifications regarding J-Form.

Be put up for the abovesaid report of M. S. of the aforesaid hospital and for further proceedings on 16.09.2022.

(Rekha)

**PO (MACT)-01,Dwarka Courts,
New Delhi /08.07.2022**