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MACT 903/22

KASHIKA SHARMA Vs. RAJBIR SINGH

25.08.2023

Present: Ms. Rajput Simmi-Ld. counsel submits that she will represent the petitioner.
Sh. Nikhil Vats-Ld. Counsel for R3/insurance company.

Vakalatnama filed on behalf of petitioner.

Vakalatnama is taken on record.

Evidence of Kashika Sharma by way of affidavit is filed.

Copy supplied.

An application u/s 151 CPC for giving direction to MS/ CMO DDU Hospital for issuing disability certificate to the petitioner.

Ld. Counsel for the petitioner/injured submits that the petitioner/injured-Kashika Sharma, D/o Sh. Deepak Sharma has sustained grievous injuries and Disability Certificate will be required for proper adjudication of the instant matter and she prays that appropriate directions in this regard may be issued to MS/ DMO DDU Hospital, Delhi.

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.

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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 Medical Superintendent of the aforesaid hospital and for PE on 01.12.2023.

(Rekha)
PO, MACT-01, Dwarka Courts,
New Delhi/25.08.2023