

4 MACT 940/24

Smt Naresh Devi AND Ors Vs. MOHD TALIM KHAN AND ORS

29.10.2025

Present: Shri Hemant Gupta, Ld. Counsel for petitioner.
Shri Nipender Singh, Ld. Counsel for driver.
None for owner.
None for insurance company.

Ld. Counsel for petitioner submits the present petition is under section 166 M. V. Act and inadvertently in the title of the petition both section 166 M. V. Act and section 164 M. V. Act has been mentioned.

Accordingly, the present petition is under section 166 M. V. Act.
WS filed by counsel for driver. Copy supplied.

Ld. Counsel for petitioner submits that owner has been served through whatsapp. Copy of whatsapp chat annexed with the affidavit. It is deemed service upon the owner.

Owner has failed to file his WS. Accordingly, his defence stands struck off.

Pleadings are complete in the matter. On the basis of the pleadings of the parties following issues are settled for consideration:-

1. Whether deceased Sandeep Kumar has died in the road traffic accident on 21.09.2024 at about 12.30 am at Near Sidhrawali, Delhi to Jaipur Service Bridge, within the jurisdiction of PS. Bilaspur, Gurugram, due to rashness and negligence on the part of Mohd. Talim Khan/R1 who was driving vehicle bearing registration no. RJ 32 GD 2835, owned by Metharoad India Transport Pvt. Ltd. Through its Director Sh. Alok Yadav/R2 and insured with Oriental Insurance Company Ltd./R3?OPP.

2. Whether the petitioners are entitled to compensation if so, to what extent and from which of the respondents? OPP.

3. Relief.

No other issue arises or pressed.

There are three connected claim petitions arising out of the same Motor Vehicular Accident.

It is jointly submitted on behalf of the parties that since there are common witnesses to be examined on behalf of petitioner in all the claim petitions, same may be consolidated for the purpose of recording of evidence by the parties. Accordingly, all the claim petitions bearing MAC Petition Nos. 940/24, 941/24 and 942/24 are consolidated for the purpose of recording evidence to be led by the parties and present **MAC Petition No. 940/24 titled as Smt Naresh Devi & Ors. Vs. Mohd. Talim Khan & Ors. is treated as the leading case.**

Put up for PE on **11.02.2026**. List of witnesses, if any be filed by both the parties within 2 weeks. Evidence by way of affidavit on behalf of petitioner be filed within 4 weeks after supplying the advance copy to the respondents through counsel against receipt.

(Richa Manchanda)
Judge MACT-2 (North)
Rohini Courts, Delhi/29.10.2025