

New No.407-17

MACT No.

30.01.2018

Pr: None for the petitioner despite repeated calls.

None for R1 & R2.

Sh. Prashant Kumar, Ld. Proxy counsel for Sh. V.K. Gupta, Ld. Counsel for insurance co./R3.

Be awaited for the petitioner at 12:00 noon.

(Amit Bansal)
PO MACT (NW)
ROHINI.DELHI
30.01.2018

12:50 pm.

Pr: Petitioner with Sh. Chetan Kumar, Ld. Proxy counsel for Sh. Atul Rathi, Ld. Counsel for the petitioner.

None for R1 & R2.

Sh. Prashant Kumar, Ld. Proxy counsel for Sh. V.K. Gupta, Ld. Counsel for insurance co./R3.

The record would show that R1 & R2 have not filed WS despite sufficient time and lapse of statutory period, hence their defence is struck off.

WS of insurance co./R3 is on record.

On the basis of pleadings of the parties following issues are framed:

1. Whether Jitender Mandal had sustained injuries on the intervening night of 26/27.03.2017 at about 3:30 am, at Prerna Chowk, Tri Nagar, Delhi, due to rash and negligent driving of truck bearing registration No. DL-1RL-7805, which was being driven rashly and negligently by Sanjay Mukhiya? OPP
2. Whether the petitioner is entitled to compensation, if so, to what amount and from whom? OPP
3. Relief.

Petitioner is directed to give advance copy of the affidavit of witness to

....Contd/-

:2:

respondents one month prior to the next date of hearing.

Be put up for entire PE for 24.05.2018.

Petitioner may also take steps to summon the witness, if so required, expeditiously.

Specific date has been given as there are directions to dispose of 5 years and 10 years old cases at the earliest and keeping in view the huge pendency of the cases this case cannot be fixed up before the said date.

Petitioner is directed to open a saving bank account in a nationalised bank near his place of residence with directions to produce its original copy on the next date of hearing with the directions to the Branch Manager not to issue any cheque book and debit card to the petitioner qua the said A/c and if already issued these be cancelled and the said bank shall also not permit any joint name to be added in the saving bank account or fixed deposit account of the petitioner. No loan, advance or withdrawal shall also be allowed from the said bank account without the prior permission of the court. The endorsement to that effect should be made on the said bank passbook by the Branch Manager. Copy of PAN Card and Aadhar Card be also filed by the petitioner.

Copy of this order be given dasti to counsel for petitioner.

(Amit Bansal)
PO MACT (NW)
ROHINI.DELHI
30.01.2018