

MACT No. 1416 /2022

PREETI Vs. POOJA ANAND AND ORS.

17.12.2022

A fresh DAR was received by way of an assignment from The Facilitation Center. It be checked and registered.

Present: Sh. Pankaj Tripathi, Ld. Counsel for petitioner along with petitioner in person.

Sh. Manish Sahay, Ld. Counsel for respondent no. 1 & 2.

None for Insurance Company.

IO SI Bharat Lal in person.

In compliance of the guidelines issued vide circular no. 15914-15917/Genl./Endst/ DWK/2021 dated 10.08.2021, passed by Hon'ble High Court in case no. MACA No. 215/2021 judgment titled as The National Insurance Co. Ltd. Vs Shiba Anand & Ors, the details of the parties are as follows:-

Petitioner: Preeti W/o Late Mohd. Nizam having M. No. 8920774421.

Driver: Pooja Anand W/o Sh. Aditya Anand, having M. No. 9999627752.

Owner: Anand Sales Corporation, having M. No. 9811284402.

Vakalatnama filed on behalf of petitioner as well as R-1 and R-2. Be taken on record.

Petitioner orally submits that he has not filed any claim anywhere in India in the present road accident. The DAR be treated as petition under section 166(4) of the Act.

A copy of the DAR is supplied to petitioner and respondent by IO upon necessary payment of dues to the IO in terms of the order of Hon'ble High Court of Delhi titled as Rajesh Tyagi & Ors. Vs. Jaibir Singh & Ors. FAO No. 842/2003, date of decision 21.12.2019 alongwith the Claim Tribunal Agreed Procedure.

Respondents are directed to file a written statement and a legal offer within thirty days from today with the direction to supply an advance copy of the same to petitioner one week prior to the next date of hearing.

Let notice be issued to Insurance Company through IO for the NDOH.

Put up for further proceedings as well as for framing of issues on 24.02.2023.

Petitioner (Preeti) is directed to open a MACT claims SB Account in terms of order dated 07.12.2018 of Honble Mr. Justice J. R. Midha in case titled as Rajesh Tyagi and Others Vs. Jaibir Singh and Otherse F.A.O. No. 842/03

Petitioner is further directed in terms of order dated 07.12.2018 of Hon'ble Mr. Justice J. R. Midha in case titled as Rajesh Tyagi and Others Vs. Jaibir Singh and Others F.A.O. No. 842/03 as per clause 18 of MACT to open the said

bank account in a nationalized bank near his place of residence with the direction to produce its original copy on the next date of hearing with the direction to the Branch Manager not to issue any cheque book and debit card to petitioner qua the said Account and if already issued these be canceled and the said bank shall also not permit any joint name to be added in the saving bank account or fixed deposit account of petitioner. The endorsement to that effect should be made on the said bank passbook by the Branch Manager upon production of a copy of this order by claimant before the Branch Manager. A photocopy of a pan card and a photocopy of an aadhar card be also filed by petitioner on the next date of hearing.

A copy of this order be given dasti to petitioner.

An attested copy of this order be sent to The Branch Manager, SBI, Sector-10, Dwarka Courts, New Delhi directing him to file a compliance report of this order by petitioner within a month from today.

Jagdish Kumar
PO (MACT)-02 South-West
Dwarka Courts
New Delhi
17.12.2022

MACT No. 1414 /2022

DHANPATI Vs. RAMJI DASS AND ORS.

17.12.2022s

A fresh DAR was received by way of an assignment from The Facilitation Center. It be checked and registered.

Present: Ms. Mandakini, Ld. Proxy counsel for Sh. Ajeet Kumar, Ld. counsel for petitioner along with son of petitioner in person.

Respondent no. 1 & 2 in person.

Ms. Sonia, Ld. Proxy counsel for Ms. Sunanda Nimisha, Ld. Counsel for Insurance Company.

IO ASI Tara Chand in person.

In compliance of the guidelines issued vide circular no. 15914-15917/Genl./Endst/ DWK/2021 dated 10.08.2021, passed by Hon'ble High Court in case no. MACA No. 215/2021 judgment titled as The National Insurance Co. Ltd. Vs Shiba Anand & Ors, the details of the parties are as follows:-

Petitioner: Dhanpati W/o Sh. Hukam Chand, having M. No. 9319706562.

Driver: Ramji Dass S/o Sh. Baldev Dass, having M. No. 9760409575.

Owner: Manish S/o Ramji Dass, having M. No. 9899812906.

Vakalatnama filed on behalf of petitioner. Be taken on record.

Memo of appearance filed on behalf of Insurance Company. Be taken on record.

Petitioner orally submits that he has not filed any claim anywhere in India in the present road accident. The DAR be treated as petition under section 166(4) of the Act.

A copy of the DAR is supplied to petitioner and respondent by IO upon necessary payment of dues to the IO in terms of the order of Hon'ble High Court of Delhi titled as Rajesh Tyagi & Ors. Vs. Jaibir Singh & Ors. FAO No. 842/2003, date of decision 21.12.2019 alongwith the Claim Tribunal Agreed Procedure.

Respondents are directed to file a written statement and a legal offer within twenty days from today with the direction to supply an advance copy of the same to petitioner one week prior to the next date of hearing.

Put up for further proceedings as well as for framing of issues on 03.03.2023.

Petitioner (Dhanpati) is directed to open a MACT claims SB Account in terms of order dated 07.12.2018 of Honble Mr. Justice J. R. Midha in case titled as Rajesh Tyagi and Others Vs. Jaibir Singh and Otherse F.A.O. No. 842/03

Petitioner is further directed in terms of order dated 07.12.2018 of Hon'ble Mr. Justice J. R. Midha in case titled as Rajesh Tyagi and Others Vs. Jaibir Singh and Others F.A.O. No. 842/03 as per clause 18 of MACT to open the said bank account in a nationalized bank near his place of residence with the direction to

produce its original copy on the next date of hearing with the direction to the Branch Manager not to issue any cheque book and debit card to petitioner qua the said Account and if already issued these be canceled and the said bank shall also not permit any joint name to be added in the saving bank account or fixed deposit account of petitioner. The endorsement to that effect should be made on the said bank passbook by the Branch Manager upon production of a copy of this order by claimant before the Branch Manager. A photocopy of a pan card and a photocopy of an aadhar card be also filed by petitioner on the next date of hearing.

A copy of this order be given dasti to petitioner.

An attested copy of this order be sent to The Branch Manager, SBI, Sector-10, Dwarka Courts, New Delhi directing him to file a compliance report of this order by petitioner within a month from today.

Jagdish Kumar
PO (MACT)-02 South-West
Dwarka Courts
New Delhi
17.12.2022

MACT No. 1417 /2022

DURDANA ZEENAT Vs. JAI KUMAR AND ORS.

17.12.2022

A fresh DAR was received by way of an assignment from The Facilitation Center. It be checked and registered.

Present: Petitioner in person.
 R-1 in person.
 None for R-2 and R-3.
 IO ASI Manoj Kumar in person.

IO ASI Manoj Kumar submitted that in the present case owner Surya Kant has expired. He has submitted that he will bring on record the LR's of Surja Kant on the NDOH. Let LR's of R-2 be called on the NDOH.

R-3 be also called through IO for the NDOH.

Copy of DAR be provided to the petitioner.

Be put up on 23.02.2023.

Jagdish Kumar
PO (MACT)-02 South-West
Dwarka Courts
New Delhi
17.12.2022

MACT No.
Vs.

17.12.2022

Present:

Jagdish Kumar
PO (MACT)-02 South-West
Dwarka Courts
New Delhi
17.12.2022