

MACP No.556/2022

Smt.Rashmi & Ors. (L.Rs of Rishi Kumar) V/s Harsh Chouhan & Ors.

FIR No.350/2022

PS Alipur

01.09.2022

Fresh DAR filed. It be checked and registered.

DAR is treated as claim petition u/s 166 (4) of MV Act.

Present: Shri Santosh Dixit, Ld. Counsel for the L.Rs of deceased/
petitioners.

Driver and owner in person.

Shri Narsingh, Ld. Counsel for the Insurance Company.

IO/ASI Rajmal in person.

Fresh Vakalatnama on behalf of L.Rs of deceased Rishi Kumar/
petitioners has been filed, same is taken on record.

Memo of Appearance on behalf of Insurance Company has been
filed, same is taken on record.

Copy of DAR supplied to learned counsel for L.Rs of deceased,
driver, owner as also to learned counsel for the Insurance Company.

Let written statement by driver, owner and legal offer in form
III/reply by insurance company be filed within 30 days after supplying advance
copy to the opposite parties through counsel against receipt.

Memo of parties be filed by the L.Rs of deceased/petitioners on the
next date of hearing.

The LR(s) of deceased Rishi Kumar namely **(i) Smt.Rashmi (wife of deceased); (ii) Shri Arvind (father of deceased); (iii) Smt.Asha Devi (mother of deceased); and (iv) Ms.Trisha Tiwari (minor daughter of deceased)** are is directed in terms of order dated 07.12.2018 of Hon'ble Justice J.R. Midha in case titled as, "**Rajesh Tyagi and Others Vs. Jaibir Singh and Others**", FAO No.842/03, as per clause 18 of MCTAP, to open a MACT

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saving bank account in a nationalized bank near the place of their residence and the concerned bank is directed not to issue any cheque book and/or debit card to the petitioner(s) and if the same has already been issued, the bank is directed to cancel the same and to make an endorsement on the passbook of the petitioner(s) to the effect that no cheque book and/or debit card shall be issued without the permission of the Court. The petitioner(s)/LRs of deceased are directed to produce the copy of the order before the concerned bank whereupon the bank is directed to make the endorsement on the passbook. The petitioner(s)/LRs of deceased are directed to produce the passbook with the necessary endorsement as well as Aadhaar Card and PAN Card before the Claims Tribunal on next date. Copy of this order be given dasti to the counsel for the claimant(s)/LRs of deceased for compliance.

Put up on **30.11.2022** for exploring the possibility of settlement/written statement/framing of issues.

(Vinod Yadav)
Judge MACT-2 (North)
Rohini Courts, Delhi/01.09.2022