

29.01.2020

Notice dated 29.01.2020 has been received from the President / Hony. Secretary, Shahdara Bar Association (SBA) that all the Advocates are abstaining from work on today i.e. 29.01.2020 and have requested to Court to co-operate and not to pass any adverse order.

Present : Petitioner in person.
 None for respondents.

WS of R-3 has already been filed on record. Copy supplied to petitioner. As per previous report of summons R-1 and R-2 had refused to receive the summons, due to which, summons were affixed at the outer door of their respective premises in November, 2019. R-1 and R-2 have not appeared despite service by way of affixation. **Hence, R-1 and R-2 are hereby proceeded against ex-parte.**

Submissions heard. From the pleadings and the material on judicial file, following issues are framed:-

- (i) *Whether deceased died on account of injuries sustained in accident having taken place on 12.06.2014 at about 2.00 am (midnight) at in front of Village Rasulpur, N.H.-24, District Amroha, UP within the jurisdiction of PS Rajabpur, Distt. Amroha, UP due to rash and negligent driving of driver of vehicle no. UP – 21-N–6953 i.e. by respondent no.1? OPP*
- (ii) *Whether petitioner is entitled to compensation? OPP*
- (iii) *Which of the respondents is liable for payment of compensation to petitioner? OPP*
- (iv) *Relief.*

No other issue arises or pressed for.

Petitioner is directed to file complete criminal record of accident on NDOH. Put up for PE on 18.03.2020. Advance copy of the affidavit of PWs be supplied to Id. Counsel for respondents atleast 07 days prior to the next date of hearing.

(TYAGITA SINGH)
PO/MACT/NE/KKD/DELHI 29.01.2020 (bb)