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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **MAC.APP. 567/2019, CM APPL. 23556/2019, CM APPL. 23557/2019 & CM APPL. 23558/2019**

SAIF ALI & ORS

..... Appellants

Through: **Mr. Javed Khan, Advocate.**

versus

RAMA DEVI

..... Respondent

Through: **Mr. Chandan Mishra, Mr. Rajesh Kumar Pandit, Mr. Akhlendra Mishra and Mr. Pradeep Singh, Advocates.**

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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06.11.2019

The learned counsel for the claimants submits that according to the Postmortem Report No. 178/2018, the injured was brought dead to the hospital on 05.02.2018 at 8:24 pm with an alleged history of road traffic accident as mentioned in MLC No. 17408.

The learned counsel for the parties would like to refer to the MLC Report to ascertain as to who took the deceased to the hospital.

According to the claimants, Constable-Harender Kumar is the one who was posted in the area and ran about 20 paces and caught hold of the offending driver. He then rushed the injured to the hospital. The appellant however, contends to the contrary, that it was he who had taken the injured to the hospital and that his vehicle was not involved in the said



accident.

However, it has to be ascertained whether or not Constable-Harender Kumar was in fact posted in that area at the relevant time.

The learned counsel for the parties also submit that reference to the TCR would be necessary for adjudication of the case.

Let the TCR be requisitioned, digitized and made available before the next date of hearing.

At joint request, renotify on 12.12.2019.

Interim orders to continue till the next date of hearing.

NAJMI WAZIRI, J

NOVEMBER 06, 2019

RW