



\$~41

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

+ **MAC.APP. 292/2018**

SANTOSH KUMAR GUPTA

.....Appellant

Through: Counsel for appellant (appearance not given)

versus

AJAY JAIN & ANR (UNITED INDIA INSURANCE CO LTD)

.....Respondent

Through: Mr. Virender Prabhakar, Advocate for
Suman Bagga, Advocate for
Insurance Company.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% 08.10.2024

CM APPL. 59458/2024 (for permission to summon the Dr. Dinesh Kumar Satti)

1. The application under Section 151 CPC has been filed on behalf of the appellant to summon Dr. Dinesh Kumar Satti, Department of Neurosurgery, GTB Hospital, UCMS, Delhi.
2. This Court vide Order dated 15.01.2024 had allowed the appellant to examine the doctor/members of the Medical Board concerned to prove the functionary disability of the claimant. One doctor has been examined. Even though the Order was explicit in saying that the Members of the Board may be examined but the appellant has chosen to examine one Dr. Shiva Narang, Professor of Medicine, who has deposed that he had merely signed the



Disability Certificate. The appellant should have filed further application before the learned Joint Registrar, to summon the other doctor, who was the signatory to the Disability Certificate instead of time and again filing the application in the Court.

3. One opportunity is given to the appellant to examine whatever witnesses she wants for proving the Disability Certificate.
4. The application is accordingly allowed and disposed of.
5. Be listed before the learned Joint Registrar on 22.10.2024.

MAC.APP. 292/2018

6. Be listed before the Court on the date fixed i.e. 28.11.2024.

NEENA BANSAL KRISHNA, J

OCTOBER 8, 2024/RS