

1	Name of the officer	RAVI DUTT
2	Officer mobile number	9050072571
3	Station name and telephone number	Sgt. A/ Consts
4	Case No	1280/18
5	Case filed under which sections	121/18
6	Accused name	OLA Elect Tech
7	Why the OLA's information required	
8	What information we have shared (office use)	
9	For more information kindly write at	litigation@olacabs.com

अहलमद/ AHLMAD

दीवानी नाज़िर/थानाध्यक्ष /

CIVIL NAZIR/S.H.O.

आदेश की तारीख DATE OF ORDER	26.04.2019	प्रोसेस सर्वर का नाम NAME OF PROCESS SERVER	
आदेशिका फीस दाखिल करने की तारीख DATE OF FILING OF P.F.	03.05.2019		
जारी करने की तारीख/ DATE OF ISSUE	24.05.2019		
संलग्न दस्तावेजों की संख्या NO. OF DOCUMENTS ANNEXED	03	आदेशिका(ओं) की संख्या NUMBER OF PROCESS	
सुनवाई की अगली तारीख/NEXT DATE OF HEARING	12.07.2019	वापसी की तारीख DATE OF RETURN	

VIVEK KUMAR GULIA
Addl. Distt. & Sessions Judge (East Distt.)
P.O.-Motor Accident Claims Tribunal
Room No. 28, Ground Floor,
Karkardooma Courts, Delhi

SUIT NO. 121/18

FIR NO.1380/18

PS SECTOR 20 NOIDA UP

U/S 279/337/427 IPC

SUNIL KUMAR VS OLA FLEET TECH.

अर्जी/Application

नोटिस/Notice

TO

M/S OLA FLEET TECHNOLOGIES PVT. LTD.

PLOT NO. 86 UDYOG VIHAR PH-1 GURUGRAM

HARYANA 122001

(YOU ARE DIRECTED TO APPEAR AND FILE REPLY)



Judge

Addl. District & Sessions Judge
Motor Accident Claims Tribunal
Karkardooma Court Shahdara
Delhi

Application for Grant of Compensation Under the Motor Vehicle Act, 1988
BEFORE THE MOTOR ACCIDENT TRIBUNAL, DELHI EAST DISTRICT

MAC No. /2018

Sunil Kumar Singh
S/o Shri Harender Singh
R/o H.No.320/A, Sharma Dairy,
Pandit Maholla,
Purani Kondli, East Delhi,
Delhi-110096.



Petitioner

VERSUS



1. M/S Ola Fleet Technologies P. Ltd (Owner)
Through it's Director
at Plot No.86, Udyog Vihar Phase-1,
Gurugram (Gurgaon) Haryana-122001.
2. Chaman Das (Driver)
S/o Shri Bhagawn Das
R/o Village Said Nagar Mundiya,
Teh Swar,
District-Rampur-244924.
3. Bajaj Allianz General Insurance Co. Ltd
Plot No.16, Office Space No.104/105,
1st Floor, Rishab Corporate Tower,
Karakardooma Community Centre,
New Delhi, Delhi-110092.

Respondents

**APPLICATION FOR PAYMENT OF COMPENSATION MADE UNDER
SECTION 166 AND 140 OF THE MOTOR VEHICLE ACT 1988**

Sir,

PART-I

1.	Name of person injured	Sunil Kumar Singh S/o Shri Harender Singh
2.	Full address of the injured	H.No.320/A, Sharma Dairy, Pandit Maholla, Purani Kondli, East Delhi, Delhi-110096.
3.	Age of the person injured	29 Years
4.	Occupation of the person injured	Worked with Swiggy food delivery App as a delivery Man
5.	Name and address of the employers of the injured	
6.	Monthly income of the person injured.	Rs.28,000/-P.M. approx.
7.	Does the person in respect of whom compensation is claimed paid income tax? If so state the amount of income tax	N/A

8.	Place date and time of the accident	At BSNL Choraha, Sector-19, Noida on 15.08.2018 at 11:00 P.M.
9.	Brief particulars of the accident	The injured was going to Noida for deliver Swiggy food order by Motorcycle No. DL-5S W 0923 when He was reached at BSNL Choraha, Sector-19, Noida, then the offending Ola Cab bearing No. HR-55 AB 5643, all of sudden came from site in a high speed and negligent manner and hit the injured Motorcycle, due to this powerful impact the injured / Petitioner sustained grievous injuries in leg and other part of Body and during the treatment the Left Leg Cut.
10.	Name and address of the police station in whose jurisdiction the accident took place or was registered	P.S.-Sector-20, Noida, FIR No.1380/2018 under section 279,338, 427 IPC
11.	Was the person in respect of whom compensation is claimed travelling by the vehicle involved in the accident? If so starting the journey and destination	No
12.	Nature of injuries sustained	Grievous injuries /Amputation
13.	Name and address of the Medical officer/practitioner, if any who attended the injured	Doctors of Govt. Hospital, Sector-30, Noida and thereafter referred to Safdarjung Hospital, New Delhi.
14.	Period of treatment and expenditure if any incurred	The injured was admitted in the Govt. Hospital, Sector-30, Noida and thereafter referred to Safdarjung Hospital, New Delhi. 15-08-2018 to till today.
15.	Registration number and type of vehicle	HR-55 AB 5643 (Cab)
16.	Name and address of the Owner of the vehicle	Respondent No.1
17.	Name and address of the Driver	Respondent No.2
18.	Name and address of the Insurance	Respondent No.3
19.	Has any claim been lodged with the owner/ insurer if so with what result	No.
20.	Name and address of the applicant	Mentioned in the title (Petitioner)

21.	Relationship with the injured	Self
22.	Title of the property of the injured	N/A
23.	Amount of compensation	Rs.65,00,000/- (Rupees Sixty Five Lacks only)
24.	Whether reports from the police and the registering Authority have been obtained in form 'A' & 'D' (if so to be annexed)	No
25.	Whether affidavit of the applicant and witnessed as per rule 8 are annexed (give details)	Yes
26.	Whether documents mentioned in rule 8 being annexed duly indexed (give details)	Annexed
27.	Any other information that may be necessary and helpful in the disposal of the case	

- I) That on 15.08.2018 at about 11:00 P.M. the injured was going to Noida for deliver Swiggy food order by Motorcycle No. DL-5S W 0923 when He was reached at BSNL Choraha, Sector-19, Noida, then the offending Ola Cab bearing No. HR-55 AB 5643, all of sudden came from site in a high speed and negligent manner and hit the Injured Motorcycle, due to this powerful impact the injured / Petitioner sustained grievous injuries in leg and other part of Body and during the treatment the Left Leg Cut.
- II) The injured was immediately taken to the Govt. Hospital, Sector-30, Noida thereafter referred to Safdarjung Hospital, New Delhi and remains admitted 15.08.2018 to 16.08.2018. He is still going under treatment. The injured incurred expenses of Rs.2,50,000/- approx on his treatment till date.
- III) That the Petitioner has undergone a great pain mental tension and agony and faced great difficulty in attending day-to-day routine activities. Every time an attendant is required to help the Petitioner in performing routine activities. All the family members of the Petitioner remained disturbed on seeking the pathetic condition of Petitioner. The Petitioner is suffered whole life and injuries have resulted into loss of enjoyment and employment of life and also disabled.
- IV) That the Petitioner is 29 years old and possessing good health, sound physique and enjoying with his family, occupationally the injured was

Worked with Swiggy food delivery App as a delivery Man and earn Rs.28,000/-P.M. approx.

- I) The future of the Petitioner has become bleak. The Petitioner has suffered much due to the injuries sustained mental as well as physical pain in the accident and no amount of compensation can restore the loses suffered by the Petitioner.
- II) The said accident was caused due to rash and negligent driving by the Respondent No.2 while driving the offending vehicle Cab bearing No. HR-55 AB 5643.
- III) That the Respondent No.2 was driving of the offending vehicle at the time of accident and the Respondent No.1 is the owner of the offending vehicle. Since the offending vehicle was insured with the Respondent No.3 yet being the insurer is also liable to indemnify the injured. Thus all the respondents are jointly and severally liable to pay the compensation to the Petitioner.

PART-II

28.	Amount of compensation claimed as interim award.	Rs. 25,000/- (Rupees twenty five thousand)
29.	Reasons for claim of interim award.	As mentioned in para 27 above
30.	Whether documents mentioned in sub Rule (4) and sub rule (5).of rule 20 have been annexed (give details)	Yes

31. Prayer

It is therefore, most respectfully prayed that this Hon'ble court may graciously be pleased to allow the claim petition of the Petitioners for a sum of Rs. 65,00,000/- (Rs. Sixty Five Lacks Only) against the respondents jointly and severely along with the interest @ 18% P.A. till its realisation, in the interest of justice.

It is further prayed that an interim award of Rs. 25,000/- (Rupees twenty five thousand only) may kindly be passed in favour of the Petitioner / injured and against the respondents under section 140 of Motor Vehicle Act, in the interest of justice.

(5)

Any other relief, which this Hon'ble court deems fit and proper in the facts and circumstances of the case, may kindly be passed in favour of the Petitioner/injured and against the respondents, in the interest of justice.

Through
Counsel



J. P. RAJPUT

ADVOCATE

Lawyers Chamber No. K-52,
Tis Hazari Courts, Delhi-110054
Mob. 9873249533, 9313079533
E-mail: jprajput20@gmail.com


Petitioner

VERIFICATION:

Verified at New Delhi this day of the month September 2018 that the contents of the above application are true and correct of my knowledge and belief.

Delhi

Dated


Petitioner