

in terms of the order dated 8th May, 2009.

2. It is stated in the said affidavit that in pursuance to the judgment dated 9th July, 2007 passed by the Hon'ble Supreme Court, Standing Order dated 12th December, 2007 was issued to all the concerned police officers directing them to comply with Section 158 (6) of the Motor Vehicles Act, 1988 and further the Joint Commissioners of police/Ranges were asked to periodically ensure the compliance of the directions of the Hon'ble Supreme Court. Copy of the Standing Order dated 12th December, 2007 has been filed as Annexure R-A. It is further stated in the affidavit that with respect to the victims of the road accident from July, 2007 to April, 2009, reports have been regularly sent to the Motor Accident Claim Tribunals. The details have been given in Annexure R – B. According to the Annexure R – B, 15,378 accidents have taken place during July, 2007 to April, 2009 out of which 3,647 accidents relate

to death and 12,451 accidents relate to the bodily injury to the victims and the information in prescribed proforma has been sent to the Motor Accident Claim Tribunals.

3. Vide order dated 8th May, 2009, the notice was also issued to the Registrar (Appellate) to file the report as to the compliance of Section 166 (4) of the Motor Vehicles Act by the Motor Accident Claim Tribunals. The learned Registrar Appellate has placed on record the reports received from the Motor Accident Claim Tribunals. There are 12 Motor Accident Claim Tribunals who have stated that no report has been received under Section 158 (6) of the Motor Vehicles Act, 1988 from the Delhi Police.

6. In view of the total contradiction between the stand taken by the Delhi Police and the reports sent by the Motor Accident Claim Tribunals, the Delhi Police is directed to file the detailed report pertaining to each police station. The learned Standing counsel for

Delhi Police submits that there are 123 police stations and the compilation of details would take long time. In first instance, report of the following police stations be submitted for the month of January, 2009:-

P.S. Tilak Marg under New Delhi District; P.S. Preet Vihar under East District; P.S. Shahadara under North East District; P.S. Civil Lines under North District; P.S. Shalimar Bagh under North West District; P.S. Darya Ganj under Central District; P.S. Ali Pur under Outer District; P.S. Lodhi Road under South District; P.S. Mayapuri under South West District; P.S. Kalkaji under South East District and P.S. Punjabi Bagh under West District.

7. The details be filed on an affidavit by the SHO of the concerned police stations along with copies of the Accident Claim Forms containing the endorsement of the acknowledgement by the Motor Accident Claim Tribunals. These affidavits be produced

before this Court on the next date of hearing.

8. The Registrar (Appellate) is also directed to look into the affidavit filed by the Delhi Police and furnish the comments to the same on the next date of hearing.

9. The Registry is directed to furnish the copies of the reports received from the Tribunals to Ms. Mukta Gupta, Standing counsel for Delhi Police.

10. Learned counsel for respondent No.3 submits that he has filed an application under Order 41 Rule 27 of the Code of Civil Procedure vide diary No.85025 dated 14th May, 2009. However, the same is not on record. The Registry is directed to place on record the same on the next date of hearing.

11. The learned counsel for respondent No.3 submits that he has forwarded the copy of the order dated 8th May, 2009 to respondent No.3 who shall deposit the award amount within the time granted

by this Court. However, the shares of the appellants be clarified so that the cheques can be prepared in their names.

12. Appellant No.1 is the widow aged 43 years, appellant No.2 is the son aged 22 years and appellant No.3 is the daughter aged 18 years. The shares of the appellants in the award amount shall be as under:-

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|-----------------------|---|----------|
| Appellant No.1 | : | 70% |
| Appellants No.2 and 3 | : | 15% each |

13. Respondent No.3 is directed to deposit the award amount in the names of the appellants in the aforesaid ratio. The order relating to the mode of disbursement of the award amount shall be passed on the next date of hearing.

14. Copy of this order be given 'Dasti' to learned counsel for the parties under signatures of Court Master.

15. Copy of this order be given 'Dasti' to learned standing counsel for Delhi Police as well as to the learned amicus curiae under signatures of Court Master.

16. Renotify on 28th May, 2009 at 2:30 PM.

J.R. MIDHA, J

MAY 18, 2009