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

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Decided on: 13.12.2019

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MAC.APP. 654/2018

PRADEEP

..... Appellant

Through: Mr. S.N. Parashar, Advocate.

versus

PRADEEP & ORS (THE ORIENTAL INSURANCE CO LTD)

..... Respondents

Through: Mr. Raveesh Kumar, Advocate for
R-1 & R-2.

Mr. Pradeep Gaur, Advocate for R-3.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

NAJMI WAZIRI, J. (Oral)

1. The appellant impugns the judgment dated 13.03.2018 passed by the learned Tribunal in DAR No. 18/18 on the ground that the MLC Report made by the attending doctor at the hospital had recorded his name as Mr. Kuldeep instead of Mr. Pradeep, whereas all the other supporting documents apropos his injury, treatment, as well as DAR and other investigations have verified, that it was Mr. Pradeep who had suffered injuries in the said motor-vehicular accident. Indeed, in the MLC itself, the other details i.e. address of residence and father's name of the injured are identical as in the other documents. It is argued that at the time of treatment such injuries often in a busy hospital, incorrect recording of the name is possible by a doctor besieged with numerous injuries and trauma cases.

2. In the circumstances, the impugned order is set aside. The case is remanded to the learned Tribunal for afresh adjudication in view of the above. The parties shall appear before the learned Tribunal on 13.01.2020.
3. LCR be returned.
4. The appeal stands disposed-off in the above terms.

NAJMI WAZIRI, J

DECEMBER 13, 2019
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