



16 DEC 2021

THE HIGH COURT OF KERALA

Ernakulam-682031

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Dated: 01-12-2021

No: DI-3/ 66435/2021

OFFICIAL MEMORANDUM

Sub.: MACTs to comply with the directions in Raj Kumar v. Ajay Kumar
2011(1) KLT 620(SC)- directions issued – reg.

Ref: High Court Judgment dated 25/08/2021 in MACA 2222/2010

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This Court, in the judgment referred above, while considering whether the refusal of the Tribunal to accept disability certificate after marking it in evidence was justifiable, observed that if the Tribunal was not satisfied with disability certificate, it ought to have followed the procedure contemplated in paragraph 12 of Raj Kumar v. Ajay Kumar [2011(1) KLT 620(SC)], by referring the petitioner to a medical board.

Forwarding a copy of the judgment cited, all the Motor Accident Claims Tribunals in the State are directed to scrupulously follow the Procedure laid down in Raj Kumar v. Ajay Kumar [2011(1) KLT 620(SC)].

(By Order)

Suneera

Suneera P.M.

Deputy Registrar

Encl.: as above

To

All the District Judges and the District Judge, Kavaratti (They shall communicate the above to all the Motor Accidents Claims Tribunals in their respective Districts)

Copy to

The Director, Kerala Judicial Academy, Athani

Sri. G. Unnikrishnan, Secretary, Rule Committee,

(GTWRA 1,33/1947, 'Vigneswaram',

Ganapathy Temple Road, Edappally, Ernakulam-682 024)