

10.08.2026

Present: Mr. S.K. Singh, Ld. Counsel for the petitioner.
Mr. Pratap Singh, Ld. Counsel for respondents along
with respondent no. 1 in person.
IO SI Surajbhan Singh in person.

Ld. Counsel for the petitioner seeks permission to withdraw the pending applications dated 22.04.2026 and 20.07.2026 of Smt. Anita for transfer of the present case.

Permission is granted. Said applications are dismissed as withdrawn.

Reply of respondents is filed. Copy is supplied.

Report regarding assets of the respondents is filed by SI Surajbhan.

By the said report, only affidavits of the respondents have been forwarded.

No assets have been disclosed by either of the respondents in their respective affidavits.

The purpose of giving direction to the police to file details of assets of the respondents is not merely to request the respondents for it. If only a request was required, the Tribunal could have on its own directed the respondents to disclose their assets.

It is an enquiry which was required to be conducted by the police to ascertain the assets of the respondents, which has not been done.

Report of the ACP is received. As per this report, Steps for auctioning the uninsured offending vehicle were taken only after this Court issued notice seeking status of auction.

IO SI Surajbhan submits that the offending vehicle was seized on the date of accident.

The accident took place on 15.11.2025. As per Rule 6 of Delhi Motor Accidents Claims Tribunal Rules, 2008 of the Delhi Motor Accident Rules, the vehicle had to be auctioned within three months from the date of seizure i.e. 15.11.2025.

However, just like every other accident case which has come up before the undersigned, the police took steps for auctioning the vehicle only after this Tribunal sought an explanation to this regard.

The present case is yet another illustration of the serious prejudice caused to all stakeholders by the failure of the police to auction uninsured offending vehicles within the period prescribed under Rule 6 of the Delhi Motor Accident Claims Tribunal Rules, 2008. On account of such inordinate delay, the claimant, who seeks compensation for the serious injuries suffered by him, is deprived of adequate security for realization of the award. Simultaneously, the owner of the offending vehicle also suffers prejudice, as a vehicle

which could have fetched a substantially higher value if auctioned promptly is now likely to be sold merely as scrap, thereby increasing his financial liability from personal resources.

Timely auction of the vehicle is particularly significant in cases where the respondents do not have assets from which awarded amount can be recovered.

On one hand, the police does not carryout an enquiry to find out the assets of the respondents and on the other hand, it does not even auction the uninsured offending vehicle within the prescribed time frame.

This recurring lapse on the part of the police in timely auctioning uninsured offending vehicles has been noticed by this Tribunal in several matters and has already been brought to the attention of the Commissioner of Police in *Neelam Ahuja & Ors. v. Tarsem Singh & Ors.*, MACT No. 177/19, *Sarita v. Mohd. Suleman*, DAR No. 102/23, *Jitender Kumar v. Ravinder Chauhan*, MACT No. 155/26 and *Santira Devi Vs. Jai Kant Ray* DAR No.391/21. Despite the aforesaid directions, similar lapses continue to occur.

Accordingly, let a copy of this order be forwarded to the Commissioner of Police along with an appropriate notice so that immediate and effective measures are taken to ensure strict compliance with Rule 6 of the Delhi Motor Accident Claims Tribunal Rules, 2008 by timely auctioning uninsured offending vehicles. Such

compliance would not only safeguard the interests of accident victims and vehicle owners but would also facilitate the release of valuable space presently occupied by such vehicles in police stations and malkhanas.

The Commissioner of Police shall ensure that proper enquiry into the assets of the respondents is made of which details be filed by the next date of hearing.

Ld. Counsel for the petitioner seeks adjournment for filing application for assessment of disability.

At joint request, matter is referred to the Mediation Centre.

Parties are directed to appear before Mediation Centre on 18.08.2026 at 2:00 pm.

To come up before this Tribunal on 03.09.2026.

(Shirish Aggarwal)
Judge/ PO, MACT-01
New Delhi, 10.08.2026