

M.A.C.T 85/23

PANKAJ KUMAR RAJAK Vs. LAXMAN RAI AND ORS.

09.03.2026

Present : None for the petitioner.
 None for respondents no. 1 and 2.
 Ms. Sunanda Nimisha, Ld. Counsel for respondent no. 3
 through VC.

An application under Section 166 (3) of the Motor Vehicles Act read with Order 7 Rule 11 CPC has been filed by the respondent no. 3.

Application has been filed on the ground that the petition for compensation has been filed beyond the prescribed period of limitation of six months and therefore, is liable to be dismissed.

In the case of ICICI Lombard General Insurance Co. Ltd. Vs. Ayiti Navaneetha, SLP(Civil) No. 8412/2023, by order dated 04.11.2025, the Hon'ble Supreme Court held that during pendency of said case, no Tribunal shall dismiss the claim petitions on the ground that these are barred by limitation.

In view of said direction of Hon'ble Supreme Court, the claim petition cannot be dismissed/rejected on the ground that it is barred by limitation and therefore, the application under Section 166 (3) of the Motor Vehicles Act read with Order 7 Rule 11 CPC is hereby dismissed.

Ld. Counsel for respondent no. 3 assures the Tribunal that proper instruction will be taken for settlement of the case before the

next date of hearing.

To come up on 20.04.2026.

(Shirish Aggarwal)
Judge/PO, MACT-01
New Delhi, 09.03.2026