

MACT 607/25

SABANA AND ORS (LRS OF ARBAZ) Vs. SANDEEP
KUMAR

16.03.2026

Present: Shri Rattan Singh, Ld. Counsel for petitioners.
Shri Prince Gupta, Ld. Counsel for driver cum
owner.
Shri Sujit Kumar Jaiswal, Ld. Counsel for
insurance company.

Legal offer filed by insurance company. However,
25% deduction amount has been deducted for contributory
negligence. The same is not acceptable to the petitioner.

Considering the fact that legal offer filed by
Insurance Company is not acceptable to the L.Rs of
deceased/petitioners as also taking into account the law laid
down by Hon'ble Supreme Court of India in case reported as,
“2022 SCC Online SC 1769”, titled as, “Gohar Mohammed V/s
Uttar Pradesh State Road Transport Corporation & Ors.” (DOD:
15.12.2022), the issue which remains to be decided in the matter
is only qua “**quantum of compensation**” which needs to be paid
to the L.Rs of deceased/petitioners. Accordingly, following
issue is framed in the matter:

1. **How much is the quantum of compensation
which needs to be awarded to the petitioners/L.Rs of
deceased namely Arbaz, who suffered fatal injuries
in road traffic accident on 16.07.2025, at about 9.15
PM, at UER 1, towards Metro Vihar Chowki Road.
G-7/G-8, Chowk NIA Delhi, within the jurisdiction
of PS NIA, due to rashness and negligence on the
part of the driver Sandeep/R-1, who was driver cum
owner and driving vehicle bearing registration No.**

DL 11CE 8783, and insured with Bajaj Allianz
General Insurance Company Ltd/R-2?

2. Relief.

List the matter for PE now on **27.07.2026**.

There are three connected claim petitions arising out
of the same Motor Vehicular Accident.

It is jointly submitted on behalf of the parties that
since there are common witnesses to be examined on behalf of
petitioners in all the claim petitions, same may be consolidated
for the purpose of recording of evidence by the parties.
Accordingly, all the claim petitions bearing MAC Petition Nos.
606/25, 607/25 and 609/25 are consolidated for the purpose of
recording evidence to be led by the parties and present **MAC
Petition No. 607/25 titled as Sabana (LRs of Arbaz) Vs. Sandeep
& Ors. is treated as the leading case.**

Let list of witnesses be filed within one week and
affidavit(s) by way of evidence of the witness(es) of petitioner(s)
be filed within one week thereafter with advance copy thereof to
the other side. Steps for summoning of witnesses be taken well
in advance.

(Richa Manchanda)
Judge MACT-2 (North)
Rohini Courts, Delhi/16.03.2026