

19 MACT 606/25
SHIVAM 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 petitioner 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. *1. How much is the quantum of compensation which needs to be awarded to the petitioner/injured namely Sh. Shivam who suffered 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