

IN THE COURT OF SHRI RAKESH KUMAR SINGH
PO-MACT-01 : DWARKA COURTS : DELHI

MACT 524/25
KULVIR SINGH Vs. SUNIL GAHLOT

28.02.2026

Present: Adv. Sh.Dilip Singh,for the claimant through VC.
Sh Himanshu Dagar alongwith proxy counsel Sh.
Mukul Verma, Ld. counsel for the respondent No. 2.
Sh. Vikas Sharma, Ld. Counsel for New India
Assurance Co. Ltd.
Sh. Sh. Shyam Singh, Ld. counsel for United India
Insurance Co. Ltd.
Sh. Ganesh Handa, AO from New India Insurance.
ACP Rajbir Singh, SHO Vikas Puri
Insp. Bahadur Singh, SHO J. P. Kalan.
Insp. Mukesh Antil, SHO Mohan Garden.
Insp. Rajesh Sah, SHO Dwarka South .
Insp. Bijender Singh, SHO Sec-23, Dwarka.
Insp. K. K. Tiwari, SHO Janak Puri.
SI Vinod, PS Palam Village.
SI Sunil, PS Kapashera.

1. Heard. Record Perused.
2. In this case, the fault of IO is that he impleaded an insurance company which was having own damage coverage whereas DAR basically relates to an insurance company covering third party risk. This situation is occurring in several cases due to which insurance company and victims are suffering one way or the other. In another such case, a copy of detailed order was sent to Police Headquarter pointing out the fault and repercussion. Since however, the situation is repeatedly happening, it was

found suitable to hear all the SHOs so that they can properly act and rectify the mistakes of IOs in all cases to come.

3. Apart from the aforesaid fault, there are other issues on which IOs are making mistakes either knowingly or due to absence of knowledge. The situation results into delay in filing of cases and delay in disposal. Ultimately, the poor persons are suffering whereas the system should adopt such an approach that a person who has suffered in accident should not again suffer due to faults of IOs.

4. In the aforesaid situation, all the SHOs have made submissions and have orally given their views to strengthen the procedural compliance. They have assured that 5th Amendment made in CMVR vide notification dated 25.05.2022 and the standing order no. L&O/72/2024 issued by Delhi Police Commissioner shall be minutely complied with. They, however, submit that they are facing problem due to unawareness of IOs and also because MACT Cells are not properly functioning at District Level.

5. Experience has shown that the rules and standing order are not being complied with for one or the other reason. Delay in filing is writ large. IOs are not properly collecting the documents nor preparing site plan in accordance with prescribed rules. They are not even filing the DAR by generating PDF on e-DAR portal. They are not following the time-lines. Even the senior officials are not supervising the activities despite the fact that standing order no. L&O/72/2024 is talking about monitoring mechanism.

Even MACT Cell is not properly functioning and investigation is been done in police station.

6. The aforesaid shows that police officials are not being properly trained. The Police Department is simply issuing standing orders or circular but without any practical implementation. The Hon'ble Supreme Court has repeatedly emphasized about sensitizing the police officials. Order dated 16.11.2021 in **Bajaj Allianz General Insurance Company Private Ltd. vs Union of India** has directed:

“The Registrars General would also interact with the Judicial Academy for conducting training and awareness sessions periodically not only for the Presiding Officers of the MACTs but also Police Officers, nodal persons of insurer, Presiding Officers of Lok Adalat/ Online Mediation Group etc. to enhance the awareness in implementation of the directions”.

Also in **Gohar Mohammed vs Uttar Pradesh State Road Transport Corporation** (2023) 4 SCC 381:

“It is further urged by learned Amicus Curiae that the Claims Tribunal, police officials and the insurance companies must be sensitized by the State Judicial Academies working under the control of the High Courts with respect to the provisions of the M.V. Amendment Act and the Rules, thereby the said procedure must be adopted in

coordination with the police officials, insurance companies and other stakeholders. We are in agreement to the said submission and direct the State Judicial Academies to take recourse to sensitize the stakeholders including the said subject in their annual training calendar as early as possible”.

7. There is a dire need of comprehensive training of police officials and thereafter, their training on regular basis. It would be appropriate if two police officials of Sub Inspector rank may be nominated from every police station and they be imparted the comprehensive training on each and every aspect of accident cases more particularly the provisions mentioned in 5th Amendment made in CMVR vide notification dated 25.05.2022 and the standing order no. L&O/72/2024. However, the module for such training should be clear and effective.

8. It would be further appropriate to ask the authorities to prepare the module of atleast 2 days training which covers every aspect aforesaid and then to arrange for the practical training. In such view of the matter following directions are given:

- i. The 8 police stations falling within the jurisdiction of this Court shall mandatory opt for the training which may be scheduled by the Police Department.
- ii. The Police Department shall be at discretion to include officials from other police stations in the training programme as participants.

iii. A proper module for minimum 2 days comprehensive training shall be formulated by all the three DCsP in consultation with each other and shall file the same before the Court.

iv. After formulation of module and acceptance thereof by the Court, the DCsP shall proceed to organize comprehensive training for the police officials.

v. For the aforesaid comprehensive training, 2 officials of Sub Inspector rank from each of the 8 police stations shall be selected by the police department.

vi. These DCsP may seek assistance from the Police Headquarter if they so wish in organizing the training.

9. The other aspect about functioning of MACT Cell at District Level is also required to be noted. SHO appearing from West District has made a submission that they are having functional MACT Cell at District Level wherein death cases are being investigated. The judgment in **Gohar Mohammed (Supra)** also asserts that there should be either specialized unit in every police station or atleast at town level. The standing order no. L&O/72/2024 also talks about MACT Cell at District Level. Therefore, there is no reason as to why in other districts such as South-West and Dwarka, requirement of a functional MACT Cell at District Level cannot be complied with. The DCsP shall give their opinion on this aspect.

10. In view of the aforesaid, a copy of this order be sent to DCsP West, South-West and Dwarka for considering the paragraph number 8 and 9 above and to file report on or before the next date.

11. So far as parties of present DAR case are concerned, respondents may file reply to the petition on or before the NDOH.

List for further consideration for **13.03.2026**.

(Rakesh Kumar Singh)
PO, MACT-01, Dwarka Courts,
New Delhi/28.02.2026