

IN THE COURT OF III ADDL. JUDGE AND
MOTORACCIDENT CLAIMS TRIBUNAL, COURT OF SMALL
CAUSES, BENGALURU (SCCH-18)

Dated this the 12th day of February 2026

Present: **DHANESH MUGALI**
B.Com., LL.B.,(Spl.)
III ADDL. JUDGE & MEMBER, MACT
COURT OF SMALL CAUSES,
BENGALURU.

MVC.1500/2025

Petitioner : Sri. Vanyempalli Vijay Kumar

V/s

Respondents : M/s Reliance Gen.Ins.Co. Ltd. &
another

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IA.No.II

Applicant / respondent : M/s Reliance Gen. Ins. Co. Ltd.
No.1 & another

V/s

Opponent : Sri. Vanyempalli Vijay Kumar

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Provision under which application is filed	:	Under Order VII Rule 11(d) R/w Sec.151 of CPC
Relief sought for	:	For rejection of the petition
The date of which the application filed	:	16.12.2025
Number of application	:	I.A.No.II

The date on which the objections is filed by different opponents	:	04.02.2026
The date on which the orders was passed on the said application	:	12-02-2026

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ORDERS ON I.A.No.II

The instant application is filed by the applicant/ Respondent No.1 Under Order VII Rule 11(d) R/w Sec.151 of CPC for rejection of the petition.

2. In the accompanying Memorandum of facts, learned Counsel for the the applicant / respondent No.1 has stated that, the alleged accident occurred on 08-02-2025 and this petition filed on 16-10-2025, hence there is a delay of 69 days in filing the petition. Further stated that, after amendment to the Sec.166(3) of the Motor Vehicles Act, 1988, “no application for compensation shall be entertained unless it is made within Six months of the occurrence of the accident”. Without any reason, the petitioner has filed this petition. Hence, prays to allow the application.

3. The opponent / Petitioner has filed the objections to the said application contending that, the application is not maintainable either in law or on facts of the case. Further denied the entire averments made in the memorandum of facts. It is contended that, accident occurred on 8-2-2025 and date of filing of claim petition was on 3-3-2025. Thus

the claim petition is filed within 23 days from the date of accident, well within one month and there is absolutely no delay, much less a delay of several months as alleged. Without verifying the records only with an intention to mislead this court and to delay the proceedings, the respondent has filed this application. Hence, prays to dismiss the application.

4. Heard the arguments from both side and perused the materials available on record.

5. The Points that would arise for my consideration are as follows:

1. Whether the applicant / respondent No.1 has made out sufficient grounds to reject the petition Under Order VII Rule 11(d) R/w Sec.151 of CPC as barred by law ?

2. What Order?

6. My findings on the above points are as under;

Point No.1: In the Negative

Point No.2: As per the final Order for the following:

REASONS

7. **POINT No.1:** The opponent/petitioner has filed the above petition against respondents for claiming compensation due to injuries sustained by him in R.T.A.

8. Before filing this application, the stage is kept for petitioner's evidence. Now the applicant/respondent came up with this application seeking rejection of the petition by contending that, the petition is filed at belated stage and barred by limitation period.

9. I have gone through the materials available on record. Before discussing on merits of the application, it is better to note the provisions of Section 166 of M.V. Act.

“Section 166 (3) of M.V. ACT - No application for compensation shall be entertained unless it is made within 6 months of the occurrence of the accident.”

10. The above amended provisions came into force on 01-04-2022. On perusal of records it appears that, the petitioner/opponent herein has filed the claim petition after 25 days from the date of occurrence of accident. Therefore, there is no delay in filing the claim petition. Further, in the case of ICICI Lombard General Insurance Company Ltd., V/s Ayiti Navaneetha & Others dated 04.11.2025, SLA No.8142, 8143/2023 the Hon'ble Apex Court of India has passed an Order stating that, during the pendency of these petitions, the Tribunal or the High Courts shall not dismiss the claim petitions on the ground of such petitions as barred by limitation as prescribed under sub-sec (3) or Sec.166 of M.V.Act 1988. Therefore, I am of the opinion that, the Respondent No.1 has not made out sufficient grounds to allow the application. Accordingly, Point No.1 is answered in the Negative.

11. **Point No.2**: For the above made discussions,
I proceed to pass the following:

ORDER

I.A.No.II filed by the
applicant / respondent No.1 Under
Order VII Rule 11(d) R/w Sec.151 of CPC
is hereby dismissed.

(Dictated to the stenographer directly on computer, then corrected by me and
pronounced in the open Court on this the 12th day of February, 2026).

(DHANESH MUGALI)
III ADDL.SMALL CAUSES JUDGE,
MEMBER MACT & ACJM,
BENGALURU.