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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ MAC.APP. 139/2026, CM APPL. 10769/2026, CM APPL.
10770/2026, CM APPL. 10771/2026, CM APPL. 10772/2026, CM
APPL. 10773/2026 & CM APPL. 10774/2026

MAMTA KUMARIAppellant

Through: Mr. Sandeep Vats and Mr. Gaurav
Sharma, Advocates.

versus

PRADEEP KUMAR AND ANRRespondent

Through:

59+ MAC.APP. 140/2026, CM APPL. 10936/2026, CM APPL.
10937/2026, CM APPL. 10938/2026, CM APPL. 10939/2026, CM
APPL. 10940/2026 & CM APPL. 10941/2026

MAMTA KUMARIAppellant

Through: Mr. Sandeep Vats and Mr. Gaurav
Sharma, Advocates.

versus

SATBIR SINGH AND ANRRespondent

Through:

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER
17.02.2026

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1. *Mr. Sandeep Vats and Mr. Gaurav Sharma*, counsel for the appellants, argue that appellant was fastened liability in respect of the accident which occurred on 19th February 2023 near Rohtak Road, Delhi, involving a motorcycle which was driven by *Mr. Pardeep Kumar*, with *Mr. Satbir Singh*



as pillion, while appellant was driving *Wagon R Car*.

2. The accident resulted in a DAR and, thereafter, an FIR No. 274/2023 was registered at PS Mundka. Subsequently, the appellant was charge-sheeted and was also found not to be holding a valid driving licence.

3. Insurer was not fastened with liability due to the breach of insurance policy, and the entire liability was placed upon the appellant/driver- cum-owner of the offending vehicle.

4. Compensation of Rs. 2,77,769/- was awarded to *Mr. Satbir Singh* and Rs. 1,98,481/- to *Mr. Pradeep Kumar*, along with interest at the rate of 9% per annum.

5. Counsel for appellant argues, *firstly*, that the issue of negligence will have to be re-determined, considering that the CCTV footage was not available before the MACT and has been subsequently made available by the Investigating Officer (*'IO'*) in the criminal proceedings on 11th December 2025.

6. He states that, as per the CCTV footage, there was clear negligence on behalf of the motorcycle drivers, and, therefore, the same must be duly considered.

7. Additionally, he contends that the motorcycle driver, *Mr. Pradeep Kumar*, did not hold a valid driving licence to drive a motorcycle. It is an admitted position that he possessed a licence for an *LMV vehicle only*, and not for a motorcycle.

8. He seeks reliance on the decision of the Supreme Court of India in *Mukund Dewangan v Oriental Insurance Co. Ltd.* 2017 14 SCC 663.

9. Notice, in the meantime, be issued to respondent nos. 1-2 on steps being taken by appellant through all permissible modes, including email.



10. Counsel for appellant shall take steps to arrange to show the CCTV footage to counsel for respondents on the next date of hearing. Also still photographs of the CCTV footage may also be placed on record, by counsel for appellant, for reference.
11. List on 10th March 2026, in *supplementary list*.
12. Order be uploaded on the website of this Court.

ANISH DAYAL, J

FEBRUARY 17, 2026/RK/bp