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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **MAC.APP. 116/2025**

SANJEEV KUMAR DABAS

.....Appellant

Through: Mr. Mahipal Malik and Ms. Harshita,
Advocates.

versus

SMT SUSHILA DEVI AND ORS.

.....Respondents

Through: None.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

% **16.04.2025**

CM APPL. 8892/2025 [*Exemption from filing certified copies*]

1. Allowed, subject to just exceptions.
2. The Application stands disposed of.

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3. The present Appeal has been filed under Section 173 of the Motor Vehicle Act, 1988 seeking to challenge an order dated 22.10.2024 passed by the learned Presiding Officer, MACT, North-West District, Rohini Courts, Delhi [hereinafter referred to as "Impugned Judgment"]. By the Impugned Judgment, the learned Trial Court has awarded a sum of Rs.37,02,208/- along with 9% interest.
4. The Appeal has been filed by the driver of the vehicle.
5. The challenge in the present Appeal is to the finding of the learned Trial Court that on account of the rash and negligent driving of the



Appellant (Respondent No.1 before the learned Trial Court) has been proved.

6. It is the case of the Appellant that there was no eyewitness to the accident. However, the learned Trial Court has relied on the DAR to submit that the Appellant was present at the spot and was driving the offending vehicle at the time of the accident. Thus, it has been held that the case does not warrant any other best evidence.

7. Learned Counsel for the Appellant seeks some time to place on record the DAR and other documents in support of his contentions in the present Appeal. Let the needful be done before the next date of hearing.

8. The Registry is directed to place on record the digital copy of the Trial Court Record duly paginated and book-marked in accordance with the rules of the High Court.

9. At request, list on 12.08.2025.

TARA VITASTA GANJU, J

APRIL 16, 2025/pa

[Click here to check corrigendum, if any](#)