



\$~205

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

+ **MAC.APP. 354/2025**

SMT SAROJ DEVI AND ORS.

.....Appellants

Through: Mr. Manish Maini and Ms. Anjali
Singh, Advocates.

versus

UNITED INDIA INSURANCE COMPANY LTD. & ORS

.....Respondents

Through: None.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

% **28.05.2025**

CM APPL. 34050/2025 [Exemption from filing certified copies]

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

CM APPL. 34051/2025 [Exemption from filing Trial Court Record]

3. 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.
4. The Application stands disposed of.

CM APPL. _____ [To be numbered]

5. This is an Application filed under Order I, Rule 10(2) read with Section 151 of the Code of Civil Procedure, 1908 [hereinafter referred to as "CPC"].



6. The Registry is directed to number the Application.
7. By the present Application, the Appellants seek to implead the S.H.O., P.S. Dankaur, District Gautam Budh Nagar, U.P.
8. Issue Notice.
- 8.1 On steps being taken, let Notice be issued to the Respondents *via* all modes. Affidavit of service be filed within two weeks.
9. List before the Registrar on 08.09.2025.

MAC.APP. 354/2025

10. The present Appeal has been filed 173 of the Motor Vehicles Act, 1988 [hereinafter referred to as “MV Act”] seeking to challenge an Award dated 03.04.2025 passed by the learned MACT, East District, Karkardooma Courts, Delhi [hereinafter referred to as “Impugned Award”]. By the Impugned Award, the claim Petition which was filed beyond 6 months from the date of accident was held to be non-maintainable and hence, dismissed by the learned Tribunal.
11. Learned Counsel for the Appellants submits that although the provisions of Section 166(3), MV Act provides that an Application shall not be entertained by the learned Tribunal after 6 months, the provisions of Section 166(4), MV Act as read with Rule 17 of Annexure 13 of the Central Motor Vehicle Rule, 1989 do give the Court a discretion for condonation of delay in filing the Interim Accident Report or a Detailed Accident Report.
12. Learned Counsel for the Appellants submit that in the present case, claim Petition was filed after a delay of 9 months.
- 12.1 Learned Counsel for the Appellants further submits that this issue is also a subject matter of consideration in a batch of cases before the Supreme Court in W.P.(C) 166/2024 captioned ***Bhagirathi Dash v. Union of India***



and the matters are next coming up for hearing on 15.07.2025.

13. Issue Notice.

13.1 On steps being taken, let Notice be served on the Respondents *via* all modes. Affidavit of service be filed within two weeks.

14. List before the Registrar for completion of service on 08.09.2025.

15. List before the Court along with MAC.APP 273/2024 and related matters on 17.12.2025.

TARA VITASTA GANJU, J

MAY 28, 2025/pa

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