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

+ **MAC.APP. 932/2019**

MANISH KUMAR & ANR

.....Appellants

Through: Mr. Keshav Sehgal, Mr. Shivam Gaur,
Mr. Aryan Kumar, Ms. Rashi Singh,
Advocates.

versus

PARTAP SINGH & ANR (NATIONAL INSURANCE CO LTD)

.....Respondents

Through: Mr. Manoj Ranjan Sinha, Mr. Vishal
Agrawal, Mr. Anup Km. Singh,
Advocates for Respondent
no.3/Insurance Company.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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29.04.2026

1. Pursuant to previous order dated 30th March 2026, *Mr. Keshav Sehgal*, counsel for appellants, contends that the driving license, placed before the Motor Accident Claims Tribunal (*'MACT'*), Central, Tis Hazari Courts, Delhi was a genuine license. He seeks to substantiate this, by relying upon the downloaded copy of driving license from *Sarathi Portal* and the screenshots taken from *mParivahan App* of Ministry of Road Transport and Highways. The said screenshot is extracted as under:



	NL01 20090041404
DL Holder Name	*A*I*H* *U*A*
Old Driving Licence Number	102425/MKG/PROF/09
Issue date	28-Sep-2009
Licence Validity (Non Transport)	27-Sep-2032
Licence Validity (Transport)	26-Sep-2018
Vehicle Class	TRANS, LMV, MCWG
Licensing Authority	NL01
Licensing Authority	RTO, KOHIMA
Tap to check the impound/seizure	

2. He has further relied upon notification dated 1st August 2014, issued by the Transport Commissioner of Nagaland, where public information was issued that driving licenses will be issued on 'Smart Card' from the previous physical booklet form, which has been discontinued. Notice was given to all driving license holders having a booklet or any other manual format, other than a 'Smart Card' to report to the office from where it had been issued to digitize the data and issue the same in a 'Smart Card' format.
3. On this basis, *Mr. Sehgal*, states that the evidence which had been placed by respondent no.3/Insurance Company before the MACT, in terms of verification exhibited at *Ex.R3W1/9*, which is a noting by Regional Transport



Office (**'RTO'**), Kohima, Nagaland that the driving license was 'fake', was possibly because the record of the physical driving license was not considered at that point of time in 2015, since the digitization process was in transition. He states that, however, due to the data available on the *Sarathi Portal* and *mParivahan App*, there would be no question of the driving licence not being valid.

4. To the contrary, *Mr. Manoj Ranjan Sinha*, counsel for respondent no.3/Insurance Company, points out that: **firstly**, there is a discrepancy between the physical licence produced before MACT and the data produced from the *Sarathi Portal* in not only the birth date of driver, but also the address of driver; **secondly**, he contends that the date of renewal given on the physical licence, which was available before the MACT, shows the renewal period from 22nd January 2014 till 27th September 2015, which coincides exactly with the time when the accident had occurred *i.e.* on 9th September 2014. He states that this kind of a truncated renewal period is completely fabricated, considering that renewal of a transport vehicle licence is usually given for 3 years at a time and even then, the validity only starts from 1 year after the date of the issuance.

5. In rejoinder, *Mr. Sehgal*, counsel for appellants, relies upon the decisions of *New India Assurance Co. Ltd. v. Nirmala Alias Guddi & Ors.* 2008 SCC OnLine Del 1697 and *National Insurance Co. Ltd. v. Nirabjit Kaur & Ors.* 2008 SCC OnLine Del 1712 to contend that, not only was it the duty of Insurance Company to prove the fact of an invalid licence, but also that an RTO official ought to have been summoned in this regard.

6. *Mr. Sinha*, counsel for respondent no.3/Insurance Company, states that, since the driver and owner did not come take up their defence before the



MACT, burden was on them to call the RTO officer in order to prove the validity of driving licence, once the Insurance Company has placed a verification report on record.

7. To cut short the controversy and ensure that complete justice is done, concerned RTO official from *RTO, Mokokchung, Nagaland*, who would be able to depose in this regard, shall be summoned and examined before the Joint Registrar (Judicial), with complete record of Driving License *No.102425/MKG/PROF/09*.

8. Cost for the witness to be examined shall be paid by the appellant.

9. Both the parties, appellant as well as respondent no.3/Insurance Company, will have the right to examine the said official.

10. Direction for deposit of 50% of compensation amount was given by this Court on 16th September 2022, which has been complied with, as per *Mr. Sehgal*.

11. Balance compensation amount, with accrued interest will be deposited before the Registrar General of this Court, within a period of six weeks.

12. Summons to *RTO, Mokokchung, Nagaland* be issued, subject to the deposit as per para 11 above.

13. List before Joint Registrar (Judicial) on 15th July 2026.

14. List before Court on 30th October 2026.

15. A copy of this order be sent to *RTO, Mokokchung, Nagaland* along with summons for information and necessary compliance.

16. Order be uploaded on the website of this Court.

ANISH DAYAL, J

APRIL 29, 2026/ak/sp