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

+ **MAC.APP. 737/2025**

ABHISHEK AGGARWAL

.....Appellant

Through: Mr. Jeevesh Nagrath, Senior Advocate with Mr. Aasheesh Gupta, Mr. Rahul Tanwar, Mr. Praveen Sharma, and Mr. Harsh, Advocates for Appellant.
Mr. Abhishek Aggarwal, Appellant in Person.

versus

INDRAWATI & ORS. (THE NEW INDIA ASSURANCE COMPANY LIMITED)

.....Respondents

Through: Mr. Aditya Kumar and Ms. Ila Nath, Advocates for R-5/Insurance company

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **18.11.2025**

CM APPL. 72249/2025 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

MAC.APP. 737/2025, CM APPL. 72247/2025 (stay) & CM APPL. 72248/2025 (for leave to produce additional evidence)

3. Mr. Jeevesh Nagrath, learned Senior Counsel for the appellant (owner of the insured vehicle), submits that liability has been erroneously foisted upon the appellant, notwithstanding that the vehicle in question was not involved in the accident at all.



4. On this point, it may be noted that a chargesheet was filed in the matter, which *prima facie* establishes the involvement of the vehicle in question, as well as the negligence of its driver. The Motor Accident Claims Tribunal [“the Tribunal”], in paragraph 29 of the impugned award dated 04.09.2025, has placed reliance on the judgment of the Supreme Court in *Ranjeet & Anr. v. Abdul Kayam & Anr.* [arising out of SLP (C) No. 10351 of 2019], wherein it was held that once a chargesheet has been filed, and the driver has been found negligent, no further evidence is required for establishing negligence.

5. Mr. Nagrath is requested to examine this issue, and to further assist this Court on the next date of hearing.

6. List on 25.11.2025, in the category of “*Fresh matters and applications.*”

PRATEEK JALAN, J

NOVEMBER 18, 2025
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