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* IN THE HIGH COURT OF DELHI AT NEW DELHI
CNR No. DLHC011405792013
+ MAC.APP. 1036/2013
UTTAR PRADESH STATE ROAD TRANSPORT CORPORATION

.....Appellant
Through: Mr. Shadab Khan, Mr. Waseem
Ahmad, Advocates (through VC).

versus

RISHIPALRespondent
Through: None.

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER
11.08.2026

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1. This appeal has been filed by Uttar Pradesh State Road Transport Corporation (*'Corporation'*) assailing impugned judgment dated 20th July 2013 passed by the Motor Accident Claims Tribunal, Patiala House Courts, New Delhi (*'MACT/Tribunal'*) in Suit No.429/2011 awarding compensation of Rs.2,76,235/- along with 7.5% interest.
2. The accident occurred on 12th January 2010 at about 07:00 p.m. near *Yusufpur Monota Gate* between *Modi Nagar and Muradnagar*, U.P., when the Corporation's bus bearing registration No. UP-15AT-1189 (hereinafter, *'offending vehicle'*) driven by the driver in rash and negligent manner hit the claimant who had been waiting for a bus to reach his home in Delhi. FIR was registered at P.S. Muradnagar, U.P. which has resulted in a charge sheet.
3. *Mr. Shadab Khan*, counsel for the Corporation, states that the offending



vehicle was not involved in the accident and in fact, the collision had occurred between a *Tavera* car and a *Jugaad* vehicle due to which he was hurt. For this, he relies upon the written statement and evidence of the driver of offending vehicle. However, the same was disbelieved by MACT on the basis that no positive evidence was led by the Corporation or the driver to prove that indeed an accident had occurred between a *Jugad* vehicle and *Tavera* car at that spot.

4. In this regard, it would be apposite to refer to the decisions of Supreme Court in ***Ranjeet v. Abdul Kayam Neb***, 2025 SCC OnLine SC 497 and ***Meera Bai v. ICICI Lombard General Insurance Company Ltd. & Anr.*** 2025:INSC:600 where the Supreme Court held that an inference of negligence can be drawn by the MACT on the basis of FIR and charge sheet.

5. Relevant findings of the Supreme Court in ***Ranjeet*** (*supra*) are extracted as under:

“4. It is settled in law that once a charge sheet has been filed and the driver has been held negligent, no further evidence is required to prove that the bus was being negligently driven by the bus driver. Even if the eyewitnesses are not examined, that will not be fatal to prove the death of the deceased due to negligence of the bus driver.”

5. In view of the aforesaid facts, we are of the opinion that the Tribunal and the High Court both manifestly erred in law in refusing to grant any compensation to the claimants.”

(emphasis added)

6. In ***Meera Bai*** (*supra*), the relevant observations of Supreme Court are extracted as under:

“2. The claimants before the Tribunal have filed an appeal from the order of the High Court which allowed



the appeal of the insurance company and dismissed the claim petition for reason of no eyewitness having been examined to prove the rash and negligent driving.

3. On facts, it needs to be stated that the accident occurred on 29.01.2015 when the deceased was travelling pillion in a motorbike driven and owned by the second respondent. The FIR was lodged against the owner driver of the vehicle for the offence of rash and negligent driving. A charge sheet was filed against the owner driver. The owner driver filed a written statement before the Tribunal denying the rash and negligent driving on his part, however he did not mount the box to depose that it was not due to his fault that the accident occurred.

4. As far as examining the eyewitness, such a witness will not be available in all cases. The FIR having been lodged and the charge sheet filed against the owner driver of the offending vehicle, we are of the opinion that there could be no finding that negligence was not established.”

(emphasis added)

7. The Court does not consider the finding of MACT amiss in this regard, considering that there was no evidence in support and nothing was placed on record to substantiate what has been claimed by the Corporation. Moreover, charge sheet has also been filed and there is no evidence to say that criminal proceedings have not continued thereafter.

8. *Mr. Khan*, also contends that *loss of income* has been awarded at Rs.1,00,000/- which ought not to have been given, considering that the nature of disability was not that serious. However, in the impugned award, MACT has noted that the claimant was 46 years of age at the time of the accident and was working as a *gardener* with Central Public Works Department (‘*CPWD*’) and had suffered 12% permanent physical impairment in relation to right



lower and upper limb. *Dr. Skand Sinha, Specialist Orthopaedics, Dr. RML Hospital, Delhi (PW2)* was examined, who stated that the claimant would have difficulty in performing any work, which was to be done by squatting.

9. Further, MACT did take into account that the claimant had not proved any loss of income, however, taking into account the inconvenience which would have been caused on account of him being a *gardener* and having suffered this kind of disability, a lump sum amount of Rs.1,00,000 had been granted.

10. The Court is not inclined to intercede in the impugned award on this account as well.

11. Accordingly, the appeal is dismissed.

12. By order dated 13th November 2013, Corporation was directed to deposit the entire compensation amount along with up-to-date interest with the Registrar General of this Court and 70% amount was released in favour of claimant.

13. Since the appeal is dismissed, balance amount along with accrued interest, shall be released in favour of the claimants as a lump sum amount within a period of four weeks, by liquidating all the fixed deposit receipts (*'FDRs'*), considering that the accident in question is of 2010 and the appeal has been pending since 2013.

14. Statutory deposit, if any, be refunded to the appellant/Insurance Company.

15. Pending applications, if any, are rendered infructuous.

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

ANISH DAYAL, J

AUGUST 11, 2026/ak/sp