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

+ MAC.APP. 1089/2014 & CM APPL. 19663/2014

UNITED INDIA INSURANCE CO LTDAppellant

Through: Mr. Pankaj Seth, Adv.

versus

MAMTA RANI & ORSRespondent

Through: Mr. Pankaj Gupta, Adv.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

21.05.2026

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1. Both *Mr. Pankaj Seth* and *Mr. Pankaj Gupta* addressed their respective arguments.
2. The issue concerns whether the death was caused due to the injury suffered during the accident in question.
3. The claim petition was originally filed by the injured victim; however, he passed away during the pendency of the proceedings. Thereafter, the legal representatives of the deceased moved an application under Order VI Rule 17 of the Code of Civil Procedure, 1908, seeking conversion of the claim petition from one for injury to one for death.
4. *Mr. Pankaj Gupta*, counsel for claimants, contends that the Insurance Company did not oppose the said request before the MACT; however, now they are raising an issue that the compensation should have been granted for injury rather than death.



5. Some legal issues arise, particularly related to the law of tort, *inter alia* on issues of causation, foreseeability, remoteness, and intervening causes, contextualised around the chain of causation.
6. On this account, both counsels will file the comprehensive case law compilation along with a three-page note bulleting their propositions in this regard.
7. List on 26th May 2026, in the '*supplementary list*'.

ANISH DAYAL, J

MAY 21, 2026
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