

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 5568/2025

United India Insurance Company Limited, through its Legally
Constituted Authority, T.P.Hub, 74A, Bhati-N-Plaza, Pal Road,
Jodhpur.

-----Petitioner

Versus

1. Smt. Simran Arora W/o Late Sh. Surendra Kumar,
2. Riya Arora D/o Late Sh. Surendra Kumar, **(Minor)**
3. Raman Arora S/o Late Sh. Surendra Kumar, **(Minor)**
4. Paras Arora S/o Late Sh. Surendra Kumar, **(Minor)**
5. Satish Kumar Arora S/o Milakraj Arora,
All residents of Nanak Nagri Gali No.1, Abohar, District
Fajilka (Punjab), currently residing At L 23, V.K. Homes,
Sriganganagar.
Minors are represented through their natural guardian
mother Smt. Simran (Respondent No. 1)
6. Ramswaroop S/o Sh. Mala Ram, R/o Pirkamriya, District
Hanumangarh, Currently Residing at Karwadwala, Tehsil
Sadulshahar, District Sriganganagar. **(Driver)**
7. Gurdutt Singh S/o Sh. Niranjana Singh Chimpia Sikh, R/o
Ward No. 11, Sadulshahar, District Sriganganagar.
(Owner)

-----Respondents

For Petitioner(s) : Mr. J.C. Vyas

HON'BLE MR. JUSTICE VINIT KUMAR MATHUR

Order

11/03/2025

1. Learned counsel for the petitioner submits that the learned
Tribunal has erred in rejecting the application preferred by the
petitioner under Order 7 Rule 11 read with Section 151 CPC as the
accident had occurred on 20.06.2023 and the amended provisions

of the MV Act came into force w.e.f. 01.04.2022 whereas the claim petition was filed on 20.01.2024. He further submits that as per the amended Section 166 (3) of the Motor Vehicles Act, 1988, the claim petition was required to be filed within a period of six months from the date of accident, whereas in the instant case, the claim petition has been filed on 20.01.2024.

2. Issue notice to the respondents. Issue notice of stay petition as well, returnable on 08.04.2025.

3. In the meanwhile and till the next date, further proceedings in claim petition No.23/2024 titled as (Simran & Ors. vs. Ramswaroop & Ors.) pending before the learned MACT, Sriganganagar, shall remain stayed.

(VINIT KUMAR MATHUR),J

10-/Arun P/-