



2026:UHC:4563

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<p><u>WPMS/675/2026</u></p> <p><b><u>Hon'ble Manoj Kumar Tiwari, J</u></b></p> <p>1. Mr. Shailabh Pandey, learned counsel for the petitioner.</p> <p>2. Petitioner has challenged order dated 11.08.2025 passed by Motor Accidents Claims Tribunal, Champawat in Miscellaneous Civil Suit No. 25 of 2025. By the said order, thirty days delay caused in filing claim petition, under Section 166 of Motor Vehicles Act, was condoned, and the claim petition was entertained.</p> <p>3. Learned counsel for the petitioner refers to Section 166(3) of the Motor Vehicles Act for contending that claim petition could not have been entertained, as it was filed after six months of occurrence of the accident. Learned counsel for the petitioner, however, fairly submits that Hon'ble Supreme Court is seized up the matter in Special Leave to Appeal (Civil) No. 8412-8413 of 2023 (<i>ICICI Lombard General Insurance Co. Ltd. v. Ayiti Navaneetha &amp; others</i>). Operative portion of the order dated 04.11.2025 passed by Hon'ble Supreme Court in aforesaid Special Leave to Appeal is reproduced below: -</p> <p style="padding-left: 40px;">"5. It is made clear that during the pendency of these petitions, the tribunal or the High Courts shall not dismiss the claim petition on the ground of such petitions as barred by limitation as prescribed under sub-Section (3) or Section 16(3) of the Motor Vehicles Act, 1988."</p> <p>4. Since the question whether an</p>



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			<p>application under Section 166 of Motor Vehicles Act can be entertained beyond limitation period of six months is pending consideration before Hon'ble Supreme Court, therefore, no useful purpose would be served by keeping this writ petition pending.</p> <p>5. The writ petition is, accordingly, disposed of by providing that the impugned order dated 11.08.2025 shall abide by outcome of the final decision in Special Leave to Appeal (Civil) No. 8412-8413 of 2023.</p> <p style="text-align: right;"><b>(Manoj Kumar Tiwari, J)</b> 09.06.2026</p> <p>Aswal</p>
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