



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

132

CR-4181-2026 (O&M)**Date of decision:18.05.2026**

SUMAN DEVI AND ANOTHER

...PETITIONERS

VERSUS

VIMAL KANT YADAV AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL

Present: Mr. Shashikant Gupta, Advocate
for petitioners.

PARMOD GOYAL, J. (ORAL)

Present civil revision petition has been preferred under Article 227 of the Constitution of India by petitioners being aggrieved by impugned order dated 02.04.2026 (Annexure P-5) passed by learned Motor Accident Claims Tribunal, Narnaul, whereby his application for restoration of original claim petition, which was dismissed on 12.07.2016 for non-prosecution, has been dismissed being filed without any application under Section 5 of Limitation Act, 1963 for condonation of delay.

2. Claim petition was filed by petitioners in the year 2013. The matter remained pending till 12.07.2016 and on account of non-appearance on behalf of petitioners-claimants, the claim petition was dismissed for non-prosecution on 12.07.2016. The application for restoration of claim petition was filed only in the year 2025 after lapse of more than nine years after dismissal of claim petition in default without any application for condonation of delay and without any justification for non-filing of application for restoration of claim petition within limitation period. Accordingly, the application for restoration of claim petition was dismissed

being time-barred.

3. On consideration, I do not find any reason to interfere in present case. The present situation has arisen on account of own negligence and fault on the part of petitioners-claimants. No doubt, present is a claim petition and orders are harsh for petitioners-claimants, however, the Courts cannot forget the rights of the respondents while deciding such matters. It must be noticed that both respondents No.1 and 2 belong to different states, one from Uttar Pradesh and another from Gujarat, respectively and the name & address of the Insurance Company was disclosed by petitioners-claimants. The accident had taken place on 08.12.2012 and with the passage of more than 14 years since accident, even the respondents may not be aware about the particulars of accident as well as necessary documents required to defend themselves. The delay of more than nine years in filing restoration and passing of 14 years since accident is fatal to the case of petitioners-claimants and the rights of respondents cannot be ignored lightly.

4. Accordingly, present revision petition is dismissed being without any merit.

5. Pending application(s), if any, stand disposed of.

(PARMOD GOYAL)
JUDGE

18.05.2026
Sunil Chander

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No