



**130 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CR-9788-2025

Date of Decision: 15.01.2026

IFFCO TOKIO GENERAL INSURANCE COMPANY LTD.

....Petitioner

Versus

DEEPAK AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL

Present: Mr. Preet Harinder Singh Pannu, Advocate
for the petitioner.

Parmod Goyal, J. (Oral)

Petitioner is aggrieved by impugned order dated 04.07.2025 (Annexure P-1), passed by learned Motor Accident Claims Tribunal, Bhiwani, vide which application preferred by petitioner under Order VII Rule 11 CPC and Section 166(3) of Motor Vehicles Act read with Section 151 CPC has been dismissed.

2. The simple case of petitioner is that since claim petition has been preferred after expiry of period of six months as prescribed under the provisions of Amended Motor Vehicles Act, therefore, petition ought to have been rejected under Order VII Rule 11 CPC. The issue whether delay in filing the claim petition beyond six months can be condoned by learned Motor Accident Claims Tribunal is pending before Hon'ble Supreme Court in case titled **ICICI Lombard General Insurance Co. Ltd. Vs. Ayiti Navaneetha & Ors.** (Special Leave to Appeal No.8412-8413/2023).

Hon'ble Supreme Court has already directed that no petition shall be dismissed on the ground of limitation vide its interim orders.



3. It is also not in dispute that while amending Motor Vehicles Act and while fixing limitation period for filing claim petition, legislature had also made amendment in the provisions of Motor Vehicles Act as regards to Accident Information Report. By way of amendment, Accident Information Report was given statutory legitimacy and was made mandatory. It was mandated that on filing of Accident Information Report same be treated to be claim petition. Therefore, it is the matter of evidence as to when Accident Information Report was filed by investigating officer and as to whether same was treated as claim petition or not and, if not, then reasons for that has to be placed on record.

4. In case Accident Information Report is filed by investigating officer, the present claim petitioner preferred by claimants independently has to be tagged with the Accident Information Report and would relate back to date when the Accident Information Report was filed by investigating officer. Therefore, the order passed by learned Motor Accident Claims Tribunal dismissing the application preferred by petitioner under Order VII Rule 11 CPC at this stage cannot be held to be erroneous. No case for interference is made out. Revision petition is dismissed.

15.01.2026
chiranjeev

(PARMOD GOYAL)
JUDGE

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No