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

+ CM(M) 377/2026 & CM APPL. 10702/2026

NEELAM DEVI & ORS.Petitioners

Through: Mr. Nitesh Baliyan, Adv.

versus

KANWAR PAL & ORS.Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **16.02.2026**

1. This petition has been filed assailing order dated 23rd May 2022 and 13th January 2026, passed by the Motor Accident Claims Tribunal-02, South East, Saket, Delhi [**“MACT”**], seeking restoration of **MACT Case No.429/2020**.
2. A claim petition was filed before the MACT with respect to accident that occurred on 26th September 2020 in *Ghaziabad, Uttar Pradesh*, in which husband of petitioner no.1 expired. The claim petition was instituted in *Delhi* since one of the offices of Insurance Company is situated within the territorial jurisdiction of the MACT.
3. The MACT passed an order on 23rd May 2022, observing that the claim petition was doubtful / suspicions of a being a false claim, and sent the matter to the Registrar General of this Court to take further action, and adjourned it *sine die*.
4. Said decision was taken noting the directions passed by the Supreme Court in the decision of **Shafiq Ahmed V. ICICI Lombard General Insurance Co. Ltd.** Special Leave Petition (Civil) No. 1110/2017. Relevant portion of the



said directions, as extracted in Tribunal's order is as under:

".....From the order passed by the High Court of Judicature at Allahabad, it was noticed that 64 fake claim cases were pending in various Districts in the State of U.P. It was also found and notice that 29 fake claim cases were decided in which compensation of Rs. 1.23 crore has been paid and claims for over Rs. 6 crores are still pending. This Court noted that the situation is really alarming and similar scenario cannot be ruled out elsewhere in other States/Union Territories also. Therefore, this Court directed to issue notice to all the States/Union Territories and Insurance Companies as to what steps can be taken to rule out the filing of the fake cases and what remedial measures can be taken. This Court also directed to issue notice to all the High Courts through Registrars to ascertain from MACTs such doubtful cases which prima facie may require investigation and to prevent filing of such fabricated cases...."

5. Considering that no report was received, a restoration application was moved before the MACT on 21st February 2023. In the meantime, a chargesheet had been filed by the police before the Additional Chief Judicial Magistrate [ACJM], Ghaziabad, noting that the accident had occurred due to rash and negligent driving of respondent no.1, driver of the offending vehicle, which was owned by respondent no.2.

6. By order dated 13th January 2026, the MACT put the matter up for further proceedings on 17th February 2026 for ascertaining the proceedings/outcome of the Special Investigation Team ['SIT'].

7. In this view of the matter, the Registrar General of this Court shall file a status report indicating the steps taken pursuant to the order dated 23rd May 2022 and the directions of the Supreme Court, as noted above, with respect to this matter, and whether there is an SIT. Status report shall be sent by the Registrar General of this Court to the MACT within next two weeks.



8. In case there is any SIT report, same be appended along with the status report.
9. A copy thereof be sent to the MACT with a copy to *Mr. Nitesh Baliyan*, counsel for petitioner herein.
10. The MACT shall accordingly re-notify the matter for 2nd March 2026.
11. Copy of this order be sent to the Registrar General of this Court.
12. This petition is disposed of with these directions.
13. Pending application is rendered infructuous.
14. Order be uploaded on the website of this Court.

ANISH DAYAL, J

FEBRUARY 16, 2026/sm/tk