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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CM(M) 504/2026, CM APPL.15205/2026 & CM APPL. 15206/2026
GO DIGIT GENERAL INSURANCE CO.LTD.Petitioner

Through: Mr. Sameer Nandwani, Adv.
(thru VC)

versus

NASEEMUDDIN & ORS.Respondents

Through:

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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24.04.2026

1. This petition has been filed by Insurance Company assailing order dated 6th February 2026 passed in MACT No.810/2025 by Motor Accidents Claims Tribunal [***MACT***/ ***Tribunal***] (Central), Tis Hazari Courts, Delhi.
2. Matter relates to an accident which occurred on 29th April 2025 near Kashmiri Gate bus stand resulting in injuries to the claimant. Subsequently, on 5th May 2025, statement of claimant was recorded wherein, he stated that he had been hit by an Auto rickshaw (hereinafter, ***offending vehicle***) from behind, while he was travelling on his motorcycle. He stated that he had managed to note down registration number of the offending vehicle and considering that his pain was unbearable, his brother took him to hospital.
3. Detailed Accident Report (***DAR***) was filed by the Investigating Officer (***IO***) and the petition was registered.
4. An application was filed under Section 169 of Motor Vehicles Act, 1988 (***MV Act***) by the Insurance Company, seeking directions to the IO to collect and produce the Call Detail Records [***CDRs***] and detailed



geographical location chart of claimant's mobile no. being, 7042390075. This was on the basis of the contention raised by Insurance Company, that there was no proof available in the DAR, which showed that the accident was actually caused by offending vehicle bearing no. DL-1R-Z-7923 and; there was a delay of 6 days in registration of the first information report ('*FIR*').

5. Moreover, the IO was unable to identify, trace or locate the offending vehicle, which raised serious concerns that the alleged offending vehicle was involved in the accident. For this purpose, CDRs (*both incoming and outgoing*) and geographical location of mobile number of the claimant on the date of accident was sought.

6. By the impugned order, MACT stated that this was not within the purview of the Tribunal and power of supervision over the investigation lies with the Judicial Magistrate First Class ('*JMFC*') Court.

7. *Mr. Sameer Nandwani*, counsel for insurance company, has drawn attention of this Court to Section 169 of MV Act which is extracted as under:

"169. Procedure and powers of Claims Tribunals.—

(1) In holding any inquiry under section 168, the Claims Tribunal may, subject to any rules that may be made in this behalf, follow such summary procedure as it thinks fit.

(2) The Claims Tribunal shall have all the powers of a Civil Court for the purpose of taking evidence on oath and of enforcing the attendance of witnesses and of compelling the discovery and production of documents and material objects and for such other purposes as may be prescribed; and the Claims Tribunal shall be deemed to be a Civil Court for all the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973 (2 of 1974).

(3) Subject to any rules that may be made in this behalf, the Claims Tribunal may, for the purpose of adjudicating upon any claim for compensation, choose one or more persons



possessing special knowledge of any matter relevant to the inquiry to assist it in holding the inquiry.”

8. Particularly, proceedings before the MACT are in nature of an ‘inquiry’ and MACT has all powers of a civil court for taking evidence on oath, enforcing the attendance of witnesses, compelling discovery and production of documents and material objects.

9. *Mr. Sameer Nandwani*, counsel for Insurance Company, states that it was well within the purview of powers of MACT to summon the IO and seek production of CDRs and geographical location chart, if it so formed part of the investigation.

10. For this he relies upon decision of High Court of Andhra Pradesh at Hyderabad in ***Pullemla Krishnaiah v. Chirtala Anjaneyulu***, 2010 SCC OnLine AP 915 which emphasizes powers of a claims tribunal and notes as under:

“8. In order to appreciate the said question, it is necessary to refer Section 169 of Motor Vehicles Act, dealing with procedure and powers of Claims Tribunal, which reads as follows:

“(1) In holding any inquiry under Section 168, the Claims Tribunal may, subject to any rules that may be made in this behalf, follow such summary procedure as it thinks fit.

(2) The Claims Tribunal shall have all the powers of a Civil Court for the purpose of taking evidence on oath and of enforcing the attendance of witnesses and of compelling the discovery and production of documents and material objects and for such other purposes as may be prescribed; and the Claims Tribunal shall be deemed to be a Civil Court for all the purposes of Section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973 (2 of 1974)...”

11. Court does not see any impediment in summoning the IO for purposes of inquiry by the MACT, which in essence is a summary procedure, at the



behest of Insurance Company, who seek to substantiate their serious suspicion about involvement of the offending vehicle in the accident.

12. Needless to say, Court cannot direct the IO to carry out investigation in a particular manner, but can always requisition documents which form part of investigation, for examination by the MACT.

13. Accordingly, petition is allowed and disposed of in above terms.

14. Pending applications are rendered infructuous.

15. Order be uploaded on the website of this Court.

ANISH DAYAL, J

APRIL 24, 2026/sm/sp