



2026:DHC:3534



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 4297/2024**

Date of Decision: **16.04.2026****IN THE MATTER OF:**

SURBHI SADHWANI

.....Petitioner

Through: Appearance not given.

versus

GOVT OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Anubhav Gupta, Panel Counsel
(Civil) GNCTD, Mr. Siddharth Arora,
Advocates for R-1.
Mr. Jai Wadhwa, Advocate for R-2.

CORAM:**HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV****J U D G E M E N T****PURUSHAINDRA KUMAR KAURAV, J. (ORAL)**

1. The petitioner is the mother of Late Mohit Sadhewani, who is stated to have died in an accident involving an unidentified truck. In relation to the said incident, FIR No.0328 was registered under Sections 279/337 IPC. Since the offending vehicle and the accused could not be traced, the petitioner could not avail the Motor Accidents Claims Annuity Deposit Scheme ('MACAD'), and an untraced report was filed, which was accepted by the Metropolitan Magistrate. The Detailed Accident Report ('DAR') was also placed before the Motor Accident Claims Tribunal ('MACT'), and the

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proceedings arising therefrom came to be closed *vide* order dated 18.09.2023.

2. Thereafter, the petitioner applied for compensation under the Delhi Victims Compensation Scheme, 2018 ['2018 Scheme']. The concerned Committee *vide* the impugned order awarded final compensation of Rs.7,00,000/-, out of which Rs.5,00,000/- was awarded to the petitioner and Rs.2,00,000/- to the father of the deceased.

3. The facts and submissions in the present case are substantially similar to those considered by this Court in *Amita v Govt of NCT of Delhi & Anr*¹, pronounced on an even date. In the said decision, this Court considered the reliance placed on *Kameshwari Devi and Anr v State (Govt. of NCT Delhi)* and found that the said decision turned on its own facts. In *Kameshwari Devi*², the deceased was survived by his wife and children, and this Court had also taken into account the nature of the dependants, including the medical condition of one of the daughters. It was in those peculiar circumstances that the compensation was enhanced.

4. In the present case, the deceased was stated to be working in a private company. Earning approximately Rs.40,000/- to 50,000/- per month. He was survived by two dependents, namely his parents. The factual circumstances that weighed with the Court in *Kameshwari Devi* are, therefore, not present in the instant case.

5. In *Amita*, this Court has held that the 2018 Scheme is an additional welfare measure framed by the Government and that compensation/disbursement, thereunder, cannot be governed by any

¹ W.P(C) 12178/2023

² W.P.(C) 13161/2021



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straitjacket formula and must be determined on the facts of each case. Once the decision making authority applies its judicious mind and arrives at a plausible interpretation, interference therein should be minimal.

6. Finding no justification to interfere into the impugned order, the petition stands dismissed.

(PURUSHAINDRA KUMAR KAURAV)
JUDGE

APRIL 16, 2026/p

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