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

+ **CM(M) 979/2026 & CM APPL. 28715/2026**

INDUSIND GENERAL INSURANCE CO. LTD.Petitioner

Through: **Mr. A.K. Soni, Advocate (through
VC)**

versus

KAJOL & ORS.

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% 29.04.2026

CM APPL. 28714/2026 (Exemption)

1. Allowed, subject to all just exceptions.
2. Application is accordingly disposed of.

CM(M) 979/2026 & CM APPL. 28715/2026

1. This petition has been filed by Insurance Company assailing order dated 20th April 2026, passed by Motor Accidents Claims Tribunal (*'MACT/Tribunal'*), Karkardooma Courts, in MACT case no. 24/2024.
2. An application had been filed for dismissal of claim petition, as being barred by limitation, and a prayer to frame a preliminary issue regarding limitation was made.
3. Impugned order rejected the application by imposing costs of Rs. 50,000/- on Insurance Company, noting that the issue of limitation is pending before the Supreme Court and directions had been passed by



Supreme Court, that the claim petition will not be dismissed on the ground of limitation.

4. It was noted in the impugned order that the officials of Insurance Company are intentionally delaying the proceedings, despite knowing the position of law.

5. *Mr. A.K. Soni*, counsel for Insurance Company, states that there is no question of not being aware of the direction passed by Supreme Court, as the same has also been stated in numerous petitions pending before this Court. The application was moved only to frame a preliminary issue which could have been decided subsequently, pursuant to the judgment delivered by the Supreme Court. Therefore, there was no *mala fide* intention in delaying the claim proceedings in this matter.

6. In any event, directions of the Supreme Court are quite clear that there can be two interpretations of the same.

7. In view of the same, impugned order is set aside, including, the issue of costs imposed. Matter to be proceeded ahead in accordance with further directions of MACT.

8. Petition is disposed of. Pending applications, if any, are rendered infructuous.

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

ANISH DAYAL, J

APRIL 29, 2026/RK/sp