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

\# **CNR No. DLHC010476752026**

\+ CM(M) 2191/2026 & CM APPL. 68557/2026

JITENDER (SINCE DECEASED) THROUGH LR SUKH DEVI

.....Petitioner

Through: Ms. Pooja Goel, Ms. Muskaan Goel, Advocates.

versus

SBI GENERAL INSURANCE COMPANY LIMITED.....Respondent

Through: Ms. Kaushal Rani, Proxy Counsel for Mr. Sameer Nandwani, Advocate.

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

O R D E R

% 06.10.2026

1. This petition has been filed assailing order dated 18th August 2026 allowing the application filed by respondent no. 2/owner (*therein*) for reopening the respondent's evidence with respect to examination of first and third investigating officer (*I.O.*) in FIR No.1401/2015.

2. *Ms. Pooja Goel*, counsel for petitioner, contends that the accident took place on 15th July 2015. FIR No. 1401/2015 was registered at PS Mangol Puri. The chargesheet recorded that the driver's driving license was found to be forged/fake and a supplementary chargesheet was proposed. The legal representatives ('***LRs***') filed a claim before the Motor Accident Claims Tribunal, North-West District, Rohini Courts, Delhi ('***MACT***') in MACT Case No.113/2017.

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3. On 10th January 2019, the driver was proceeded *ex-parte*, and on 30th July 2019, evidence of respondent no.2/owner (*therein*) was closed. Petitioner's statement was also recorded on 03rd September 2024. Thereafter, final arguments were heard in 2025-2026. On 02nd June 2026, respondent no. 2/owner (*therein*) filed an application to re-open the evidence. While accepting that the same had been filed at a belated stage, MACT stated that, "*however, for just decision of adjudication of the case and in the interest of justice, the application is allowed subject to cost of Rs.1,000/- to be paid to the petitioner.*"

4. *Ms. Goel*, states that this is a travesty of justice considering that eleven years have passed since the accident and evidence ought not to be reopened after having been closed in 2019.

5. Indeed, this seems to be an unnecessary dilation to the matter.

6. Putting aside the fact that MACT allowed respondent no.2/owner's application, at this stage, it is directed that the examination will be completed within a period of one month and MACT will take steps to dispose of the matter on or before 30th November 2026.

7. Petition is disposed of with the aforesaid directions. Pending applications are rendered infructuous.

8. Copy of this order be sent to the concerned MACT for information and necessary compliance.

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

ANISH DAYAL, J

OCTOBER 6, 2026/ak/*sp*

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