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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CM(M) 48/2026 & CM APPL. 1281/2026, CM APPL. 1282/2026,
CM APPL. 1283/2026 & CM APPL. 24063/2026

UNITED INDIA INSURNACE COMPANY LTD.....Petitioner

Through: Mr. Harsh Kumar, Advocate

versus

SH. JAYRAM DAS & ORS.Respondents

Through: Mr. Biswajit Das & Mr. Deepak
Kumar, Advs. for R-1 to 6 (thru VC)

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **24.04.2026**

1. This petition assails the interim award dated 24th May 2023 passed by the Motor Accident Claims Tribunal [**MACT**], Patiala House Courts, New Delhi in Case No. 39 DAR 160/19, directing payment of compensation of Rs.50,000/- under Section 140 of Motor Vehicles Act, 1988 (**MV Act**) in a fatal accident case.
2. Petitioner/Insurance Company had raised the issue that the insurance policy in question had been cancelled prior to the accident, since the cheque for payment of premium had bounced and therefore, the vehicle was effectively not insured.
3. In the impugned order, MACT has taken a *prima facie* view that, as per the claim petition, offending vehicle was insured with appellant/ Insurance Company at the time of accident and therefore, proceeded to pass an interim award of Rs.50,000/-.
4. *Mr. Harsh Kumar*, counsel for appellant/Insurance Company,



however, states that they have a strong case in the matter regarding the issue of cancellation of insurance policy.

5. However, considering that the matter pertains to a fatal accident case, the Court is not inclined to interfere with the interim award for the reason that it would provide some amelioration to respondents/claimants. Needless to state, in case, petitioner/Insurance Company succeeds in the claim proceedings before the MACT and the claim is dismissed, respondents/claimants shall refund the entire amount, along with interest to petitioner/Insurance Company.

6. For this purpose, respondents/claimants shall file an undertaking before the MACT, within a period of three weeks from today.

7. *Mr. Biswajit Das*, counsel for respondents/claimants, contends that in view of Section 173(2) of MV Act, this petition is not maintainable. However, this aspect need not be considered in light of the clear language of Section 173(2) of MV Act, which prohibits an ‘appeal’ against the award of the Claims Tribunal, if the amount is less than Rs. 1,00,000/-.

8. Petition stands disposed of in above terms.

9. Pending applications are rendered infructuous.

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

ANISH DAYAL, J

APRIL 24, 2026/sm/sp