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

+ **MAC.APP. 42/2026, CM APPL. 2827/2026, CM APPL. 2828/2026,
CM APPL. 2829/2026&CM APPL. 2830/2026**

SHRIRAM GENERAL INSURANCE CO LTDAppellant

Through: **Mr. A. Bhandari, and Ms. Jahanvi
Bhardwaj, Advocates.**

versus

SOHANVEER SINGH TOMAR AND ORSRespondents

Through:

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

16.01.2026

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1. This appeal has been filed for setting aside the order dated 12th February 2025, passed by Motor Accidents Claims Tribunal, Shahdara Karkardooma Courts in MACT No. 318/2018.
2. Counsel for Insurance Company, *Ms. Jahanvi Bhardwaj*, states that there were multiple discrepancies in the documentation forming part of the FIR and, therefore, the negligence of the driver of the insured vehicles/offending vehicle bearing no. DL-1E-2413 cannot be concluded.
3. This plea however cannot be raised since by previous judgment dated 26th August 2020, the Tribunal had dismissed the claim. Against this respondent (appellant therein) filed MAC. APPL. 237/2021, which was allowed by this Court on 24th October 2024, as regards the issue of negligence on part of the offending vehicle, this Court held affirmatively



that there was negligence on the part of the offending vehicle. The matter was remanded back to the Tribunal for adjudication on compensation.

4. For reference, the finding by this Court is extracted as under:

“15 The testimony of PW-2 which is corroborated by the documents filed along with the Charge Sheet, fully established the negligence on the part of the offending vehicle in causing the accident. The learned Tribunal fell into error in microscopically examining the testimony of PW-2 and the documents filed along with the Charge Sheet. It is, therefore, held that the negligence on the part of the offending vehicle is duly proved and the impugned Award is hereby set-aside. The parties are directed to appear before the learned Tribunal on 21.11.2024 for adjudication on the compensation, in accordance with law. The parties shall make endeavour to complete their respective evidence within nine months.”

5. Accordingly, in view of the aforesaid findings of this Court, this issue cannot be reagitated again; the issue of compensation has been decided by the impugned award, accordingly; the appeal is dismissed.

6. Pending applications are rendered infructuous.

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

ANISH DAYAL, J

JANUARY 16, 2026/RK/zb