

Sunil vs Maya & Ors.

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Court : Delhi

Decided On : Jan-15-2026

Judge : Hon'Ble Mr. Justice Anish Dayal

Appeal No. : MAC.APP./430/2022

Appellant : SUNIL

Respondent : Maya & Ors.

Advocate for Def. : Mr. Ravi Sabharwal, Mr. Vivan Garg

Advocate for Pet/Ap. : Mr. Omkar Kushwaha, Mr. Yogesh Pachauri

Judgement :

* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ MAC.APP. 430/2022 & CM APPL. 55782/2022 SUNILAppellant
Through: Mr. Omkar Kushwaha and Mr. Yogesh Pachauri, Advs.

versus

MAYA & ORS.Respondents Through: Mr. Ravi Sabharwal and Mr.
Vivan Garg, Advs. for Insurance Company.

CORAM:

ORDER

% 15.01.2026

1. This appeal has been filed assailing impugned award dated 05 th

August 2022 passed by Motor Accidents Claims Tribunal (MACT), North District, Rohini Courts in case titled Maya & Ors. v. Arvind Kumar & Ors. in MACP No.452/2018. Appellant/Owner of offending vehicle has filed this appeal challenging the recovery rights, which were granted against them by the MACT.

2. MACTs finding in this regard is contained in paragraph 32 of impugned award, which is extracted as under:

3. As per the Right to Information (RTI), application moved before

Road Transport Authority, Rohtak, Haryana, responses have been received which seem to affirm that appellant/owner indeed had a valid permit while entering the State of Haryana.

4. It is an admitted position that the offending vehicle already had a valid permit issued by the Delhi Government. The only issue is, whether it was applying with a valid permit when it was entering the State of Haryana.

5. It is also an admitted position that the amount had been deposited,

which was required by the State of Haryana and checkpost receipt was issued for the period 09th April 2018 till 30th June 2018. The accident occurred on 23rd June 2018 and, therefore, the permit would have been valid.

6. An additional issue arose, whether the checkpost receipt would amount to a valid permit, to which question, responses received in the RTI, are tabulated as under:

7. In view of the same, finding recorded by impugned award needs to be set aside.

8. Right of recovery, as held against appellant/owner, in para 32, extracted above, will therefore, not subsist.

9. Accordingly, the appeal is allowed and is disposed of in the above terms.

10. Pending applications, if any, are also disposed of as being rendered infructuous.

11. Order be uploaded on the website of this Court. ANISH DAYAL, J JANUARY 15, 2026/MK/sp

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