

2023 PLRonline 0135 (Ker.) #446601

KERALA HIGH COURT

Before:- Amit Rawal, J.

Vijayan and Ors. – Petitioners

Versus

Manoj.K. and Ors. – Respondents

OP (MAC) No. 7 of 2023.

12.01.2023.

Motor Vehicles Act, 1988 Section 164 read with Section 166(3) - Limitation - Time-barred - Dismissal - Set aside - Prior to the amendment clause of the Motor Vehicles Act Section 163A was in vogue for filing the claim petition on the basis of no fault liability prescribed in the structure formula - Section 164 is pari materia to the aforementioned provision - The Act opens with the non obstante clause and therefore the provisions of sub section 3 of Section 166 would not have come into the way of the petitioners for the purpose of prosecuting the claim application

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