

M. Ex. No. 171/2025 and RP No. 02/2025 (in MACT No.718/2019)
Sona Ram Kataria Vs. Ashudeen & Ors.

11.07.2025

Present : Sh. Ramesh Kumar and Sh. Akash Kumar, Ld. Counsels for
DH.
None for JD/Insurance company despite calls.

As per the report of Nazir, Insurance company has deposited the amount of Rs.73,20,340/- after deducting TDS of Rs.5,01,880/- with the bank account of the Tribunal.

In the present application, DH has sought review of order dated 21.01.2025 regarding the medical bills which are duly accepted during the course of the proceedings in the original petition. It is submitted that during the course of evidence, additional evidence was filed for bringing on record bills of Rs.44,62,892/-. However, the bills of Rs.1,39,78,534/- could not be considered due to the inadvertence. It is submitted that the amount of Rs.29,96,348/- was re-imbursed out of Rs.1,39,78,534/-. It is submitted that two bills bearing no. 404 and 408 are not filed in original and also could not be verified and they have no objection, if these bills are not considered for reimbursement. However, an amount of Rs.1,09,40,730/- is still left to be reimbursed.

Heard. Having perused the record, it is apparent that these bills were left to be considered inadvertently in award dated 21.01.2025 and the petitioner can not be put to the loss for the same. Therefore, the same are awarded to the petitioner and the award stands modified as follows:-

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The petitioner is awarded an additional amount of Rs.1,09,40,730/-(Rupees One Crore Nine Lac Fourty Thousand Seven Hundred Thirty Only) along with interest @ 8% from the date of filing of DAR i.e 24.09.2019 till date 11.07.2025. Accordingly, the petitioner is awarded a total sum of Rs.1,59,73,466/- (Rupees One Crore Fifty Nine Lac Seventy Three Thousand Four Hundred Sixty Six Only) including interest.

Accordingly, R-3/ Insurance Company is directed to deposit the above said amount within 30 days from the date of this order by way of NEFT or RTGS mode in the account of this Tribunal maintained with SBI, Tis Hazari Courts, Delhi (**account holder's name-Motor Accident Claims Tribunal 02 Central, A/C No.40743576901, IFSC Code SBIN0000726**) under intimation to the petitioner/ injured and this Tribunal in terms of the format for remittance of compensation as provided in **Divisional Manager Vs. Rajesh, 2016 SCC Online Mad. 1913 (and reiterated by Hon'ble Supreme Court in the orders dated 16.03.2021 and 16.11.2021 titled as Bajaj Allianz General Insurance Co. Pvt. Ltd. Vs. Union of India & Ors)**, failing which it will be liable to pay interest at the rate of 12% per annum for the period of delay.

Upon deposit of this amount, the concerned Bank Manager shall release it to the petitioner at the earliest.

This order shall be the part and parcel of the judgment-cum-award dated 21.01.2025.

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Application stands disposed off accordingly and be tagged with case file.

A digital copy of this order be given to the parties free of cost. Ahlmad is directed to e-mail an authenticated copy of this order to the insurer for compliance.

Copy be also sent to Bank Manager, SBI, Branch : Tis Hazari Courts, Delhi for compliance.

Put up on 11.08.2025 for compliance of this order.

(DR. PANKAJ SHARMA)
PO, MACT-02, CENTRAL DISTRICT,
TIS HAZARI COURTS, DELHI
11.07.2025(A)