



\$~35

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **MAC.APP. 112/2025, CM APPL. 8055/2025 & CM**
APPL. 8056/2025

M/S IMAGE FILLING STATIONAppellant

Through: Mr. Dhruv Pande, Adv.

versus

GOPAL & ORS.Respondents

Through:

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **11.02.2025**

CM APPL. 8057/2025 (exemption from filing clear, legible, true type copies with sufficient margin of dim documents)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

MAC.APP. 112/2025, CM APPL. 8055/2025 & CM APPL. 8056/2025

3. The appellant challenges the impugned award dated 03.06.2019 as modified by the order dated 03.06.2024, pursuant to which the compensation of ₹3,37,000/- was awarded in favour of the claimant and the liability to pay the same was fastened on the appellant being the owner of the offending vehicle.

4. The learned counsel for the appellant submits that no notice of the claim proceedings was ever served on the appellant. He submits that the appellant was proceeded against *ex-parte* and therefore he also filed an application before the Executing Court which has already stayed the recovery certificate.



5. He submits that the appellant came to know about the passing of the impugned award, only when the notice was served in the execution proceedings and, therefore, the appeal has been filed belatedly.
6. Issue notice.
7. Notice be served through all permissible modes.
8. Considering that the execution of the award has already been stayed by the Executing Court, this Court does not consider it apposite to pass any order at this stage.
9. List on 24.07.2025.

AMIT MAHAJAN, J

FEBRUARY 11, 2025

“SK”