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IN THE HIGH COURT OF DELHI AT NEW DELHI

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MAC.APP. 117/2023

THE NEW INDIA ASSURANCE CO. LTD. Appellant

Through: Mr.Dharmendra Sharma, Adv.

versus

KIRAN TRIPATHI (DECEASED) THR LR AND ORS

..... Respondent

Through: Mr.Y.K.Verma, Adv.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

06.03.2023

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1. The present appeal preferred by the insurer under Section 173 of the Motor Vehicles Act seeks to assail the award dated 12.12.2022 insofar as the quantum of compensation is concerned.
2. Issue notice. Learned counsel for the respondent no.2 accepts notice and prays for time to make submissions.
3. Taking into account that no recovery rights have been granted in favour of the appellant, no notice is required to be issued to the other respondents.
4. List on 22.09.2023.

CM APPL. 10908/2023 -Stay.

5. This is an application filed by the appellant seeking stay of the impugned award.
6. Taking into account that the appellant is only aggrieved with the



quantum of compensation, the present application stands disposed of by directing the appellant to deposit, within six weeks, 75% of the awarded amount with the learned Tribunal, with a further direction to the learned Tribunal to release the same in favour of the respondent no.2 as per the scheme of disbursal contained in the impugned award.

7. Subject to the appellant depositing the amount in terms of this order, the operation of the impugned award will remain stayed during the pendency of the appeal.

MARCH 6, 2023
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REKHA PALLI, J