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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **MAC.APP. 187/2023**

THE UNITED INDIA INSURANCE Appellant

Through: Mr. Ravi Sabharwal, Adv.

Versus

RINKU & ORS.

..... Respondent

Through:

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **11.04.2023**

CM APPL. 17125/2023 -Ex.

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

CM APPL. 17126/2023 -Delay 75 days

3. This is an application filed by the appellant seeking condonation of 75 days delay in filing the appeal.
4. Taking into account the fact that the appellant had preferred a review petition before the learned Tribunal which came to be disposed of only on 13.01.2023, the application for the reasons stated therein, is allowed and the delay of 75 days in filing the appeal is condoned.
5. The application stands disposed of.

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6. The present appeal preferred by the insurer under Section 173 of the Motor Vehicles Act, 1988 seeks to assail the award dated 01.11.2022 passed by the learned MACT insofar as the quantum of compensation is concerned.



7. Upon the appellant taking steps, issue notice to the respondent no. 1 through all permissible modes. Taking into account that no recovery rights have been granted under the impugned award, no notice is required to be issued to respondent nos. 2 & 3.
8. The LCR be requisitioned and digitised before the next date.
9. List on 19.10.2023.

CM APPL. 17124/2023 -Stay

10. This is an application seeking stay of the impugned award. The same is disposed of by directing the appellant to deposit, within six weeks, 70% of the awarded amount with the learned Tribunal with a further direction to the learned Tribunal to release the same in favour of the claimants as per the scheme of disbursement contained in the impugned award.
11. 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.
12. The application stands disposed of.

APRIL 11, 2023
acm

REKHA PALLI, J