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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **MAC.APP. 224/2023**
ORIENTAL INSURANCE CO. LTD.

Through:Appellant
Appearance not given.

versus

SEEMA AND ORS

Through:Respondent
Mr. Pankaj Gupta, Advocate for
respondent no 1.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER
29.10.2024

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CM APPL. 64040/2024 (under Section 151 CPC on behalf of respondent No.1 seeking Release of amount)

1. An application has been filed on behalf of respondent No.1/claimant for release of compensation amount in his favour.
2. It is submitted that vide Order dated 01.05.2023 at the time of admission of Appeal under Section 173 M.V. Act of the Insurance Company the operation of the Award was stayed subject to deposit of 70% of the Award amount. The same may be released in favour of respondent No.1, since, the Appeal stands dismissed in default.
3. Learned counsel on behalf of Insurance Company who appears on advance Notice submits that in the Appeal the involvement of the offending vehicle itself has been challenged and has thus, opposed the release of the



compensation amount.

4. It is further submitted that an application for restoration of Appeal which got dismissed in default on 11.09.2024 has also been filed though it has been returned in objections.

5. List for consideration of the application filed on behalf of respondent No.1 on 19.12.2024.

NEENA BANSAL KRISHNA, J

OCTOBER 29, 2024/va