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IN THE HIGH COURT OF DELHI AT NEW DELHI

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MAC.APP. 161/2020

HARBANS LAL

..... Appellant

Through: Mr.S.N.Parashar, Adv.

versus

SHYAM & ORS (NEW INDIA ASSURANCE CO LTD)

..... Respondent

Through: Ms.Suruchi Singh, Adv.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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25.01.2023

CM APPL. 9909/2020 (delay of 42 days in filing)

1. This is an application filed by the appellant seeking condonation of 42 days' delay in filing the appeal.
2. Despite opportunity, no reply has been filed by respondent no.3; the sole contesting respondent.
3. Having considered the submissions of learned counsel for the appellant, the application is, for the reasons stated therein, allowed. Consequently, the delay of 42 days in filing the appeal is condoned.
4. The application stands disposed of.

MAC.APP. 161/2020

5. The present appeal seeks to assail the award dated 21.10.2019 passed by the learned Motor Accidents Claims Tribunal.
6. Learned counsel for the appellant submits that not only has the learned Tribunal erred in not awarding any compensation under the head 'Future Prospects' but has also failed to award any amount



towards the cost of the artificial limb which the appellant requires on account of amputation of his right leg. He further submits that even the compensation awarded under the 'Non-Pecuniary Losses' head is also on the lower side.

7. He, however, concedes that nothing has been brought on record to show that the appellant, in fact, requires an artificial limb and the approximate cost thereof. He, therefore, seeks, and is granted, liberty to move an appropriate application in this regard.
8. At request, list on 12.05.2023

REKHA PALLI, J

JANUARY 25, 2023

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