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

+ **MAC.APP. 135/2022 & CM APPL. 21183/2022**

SEEMA & ORS.

..... Appellant

Through: Mr. Partap Singh & Mr. Arun Yadav,
Advocates.

versus

MANOJ KUMAR SHARMA & ORS.

..... Respondent

Through: Counsel for R-3 (appearance not
given.)

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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04.05.2022

CM APPL. 21183/2022 (Ex.)

Exemption allowed subject to all just exceptions.

The application stands disposed of.

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The appellant, vide the present appeal seeks the enhancement of the awarded amount from Rs.16,52,000/- to Rs.31,54,000/- alongwith interest @ 9% p.a. till realization. At the outset, it is submitted on behalf of the appellants that the wages of the deceased be determined at the rate of skilled labour in Delhi. It is further submitted on behalf of the appellants that the deduction that has been made in the instant case towards penal expenses of the deceased, be made at the rate of 1/5th and not 1/4th.

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Notice of the appeal is issued and is accepted by the learned counsel for the respondent no.3, in as much as, the notice is accepted on behalf of the respondent no.3 with there being no recovery rights against the respondent nos.1 & 2, the service of the respondent nos.1 & 2 is dispensed with.

Notice of the appeal is directed to be issued to the respondent nos.4 & 5 on taking of steps by the appellants through all permissible modes, process being returnable for the next date of hearing.

The Trial Court Record in the e-form is directed to be requisitioned for the next date of hearing by the Registry.

The matter be re-notified for 24.08.2022.

ANU MALHOTRA, J

MAY 4, 2022
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