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

+ **MAC.APP. 214/2025**

SUDHIR GROVER

.....Appellant

Through: Mr. Adv. [appearance not given]

versus

AAKASH KUMAR & ORS.

.....Respondents

Through:

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

% **01.04.2025**

CM Appl.18622/2025*[Exemption from filing certified copies]*

1. Allowed, subject to just exceptions.
2. The Application stands disposed of.

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3. The present Appeal has been filed on behalf of the Appellant under Section 173 of the Motor Vehicle Act, 1988 impugning the order dated 14.01.2025 [hereinafter referred to as "Impugned Order"] passed by the learned Presiding Officer, MACT-01, North District, Rohini Courts, Delhi for enhancement of the Award. By the Impugned Order, compensation in the sum of Rs. 9,56,500/- has been awarded to the Appellant.

4. Learned Counsel for the Appellant submits that despite the fact that the Income Tax Returns of the Appellant [hereinafter referred to as "ITR"] were filed, the learned Trial Court has not relied upon the same. He submits that once an ITR is filed, further proof is not requisite. Learned Counsel contends that it has been held by the learned Trial Court that the Appellant has only filed ITR and has not filed any calculation as to how the figures written in the ITR were reached, which finding suffers from an infirmity.

4.1 Learned Counsel for the Appellant further submits that the attendant



charges incurred by the Appellant which are payable to the family of the Appellant as the daughter of the Appellant herself is a trained nurse and was taking care of the Appellant, have not been provided for.

5. Issue Notice. On steps being taken, let Notice be issued to the Respondents *via* all modes. An affidavit of service be filed within a week.

6. The Registry is directed to place on record the digital copy of the Trial Court Record duly paginated and book-marked in accordance with the rules of the High Court.

7. List on 09.10.2025.

TARA VITASTA GANJU, J

APRIL 1, 2025/r

Click here to check corrigendum, if any