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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **MAC.APP. 225/2024**

SHARDA DEVI & ANR. Appellants
Through: Mohd.Farooqui, Advocate.

versus

ABHAY SINGH & ORS. (MAGMA HDI INSURANCE CO.
LTD.) Respondents
Through: None.

CORAM:
HON'BLE MR. JUSTICE DHARMESH SHARMA

% **ORDER**
01.05.2024

CM APPL. 25276/2024

1. Allowed, subject to all just exceptions.
2. The applications stand disposed of.

CM APPL. 25277/2024

3. This application is filed seeking condonation of delay of 75 days in filing the petition.
4. For the reasons mentioned in the application, the delay stands condoned. The application stands disposed of.

MAC.APP. 225/2024 & CM APPL. 25275/2024

5. The appellants, who are parents of the deceased, assail the impugned judgment cum award dated 16.10.2023 passed by learned Presiding Officer, MACT-02, Shahdara, Karkardooma, Delhi, whereby although the compensation has been awarded in terms of petition under Section 166 read with Section 140 of Motor Vehicles Act, the liability to pay compensation has been fastened upon the



driver and the registered owner of the offending vehicle/tractor on the premise that the deceased was a gratuitous passenger and travelling in the tractor trolley which was being used for transporting goods in violation of the policy of the insurance.

6. No one is present on behalf of the respondents despite sending advance notice.

7. Let notice of the appeal be issued to all the respondents by all permissible modes returnable by 16.10.2024.

DHARMESH SHARMA, J.

MAY 1, 2024

VLD