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

+ **MAC.APP. 309/2025 & CM APPL. 29885-29886/2025**

PAWAN KUMAR

.....Appellant

Through: Mr. Praveen Kumar, Advocate.

versus

AZHARUDDIN & ORS.

.....Respondents

Through:

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

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16.05.2025

CM APPL. 29886/2025 *[Exemption from filing dim copies]*

1. Allowed, subject to the Appellant filing typed copies of the annexures within a period of three weeks.
2. The Application stands disposed of.

CM APPL. 29885/2025 *[Seeking condonation of delay in re-filing]*

3. This is an Application filed on behalf of the Appellant seeking condonation of delay of 176 days in filing the present Appeal.
4. It is the case of the Appellant that the Appellant is the injured and the accident resulted in loss of his leg which required extensive medical treatment.
5. Learned Counsel for the Appellant submits that in view of his condition, the Appellant was unable to gather the resources to file the present Appeal. It is further submitted that the Appellant is the sole earning member of the family and his inability to work led to financial hardship,

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thus, a delay was caused in filing the Appeal.

6. In view of the submissions made and for the reasons as stated in the Application, the delay is condoned.

7. The Application stands disposed of.

MAC.APP. 309/2025

8. The present Appeal has been filed on behalf of the Appellant under Section 173 of the Motor Vehicles Act, 1988 against the award dated 25.07.2024 [hereinafter referred to as “Impugned Award”] passed by learned Presiding Officer, MACT, south district, Saket Courts, New Delhi.

8.1 The challenge in the present Appeal is for enhancement of the amount of compensation awarded in the sum of Rs.21,53,650/- along with 9% interest per annum.

9. The primary ground for challenge amongst the grounds for challenge in the Appeal is that fact that the medical records as well as acute reflection of the salary of the Appellant has not been taken into consideration by the learned Tribunal.

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

11. 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.

12. List before the concerned Registrar for completion of service on 25.08.2025.

TARA VITASTA GANJU, J

MAY 16, 2025/ ha

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