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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **MAC.APP. 355/2025 & CM Appl. 34055/2025**
ORIENTAL INSURANCE CO. LTDAppellant

Through: Mr. Pradeep Gaur, Adv.

versus

CHHOTE LAL @CHOOTEY SINGH AND ORS.....Respondents

Through: Ms. Priyanka Sethia, Mr. Sachin
Batra and Ms. Poonam Sherawat,
Advs. for R-1.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

% **28.05.2025**

CM Appl. 34056/2025[Exemption from filing certified copies]

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

MAC.APP. 355/2025 & CM Appl. 34055/2025[Stay]

3. The present Appeal has been filed under Section 173 of the Motor Vehicle Act, 1988 impugning the judgment/award dated 27.02.2025 [hereinafter referred to as "Impugned Award"] passed by the learned Presiding Officer, MACT (Central), Tis Hazari Court, New Delhi. By the Impugned Award, the learned Tribunal has granted an amount in the sum of Rs. 63,61,037/- along with interest at the rate of 9% per annum to the Respondent No.1.
4. Learned Counsel for the Appellant submits that the challenge to the present Appeal is on two grounds. Firstly, he submits that the functional disability which was pegged at 100% is not applicable in the facts of the present case. Secondly, he submits that the award of Rs. 30,00,000/- for the cost of prosthetic limb was too high.



5. Issue Notice limited to these two grounds. Learned Counsel for Respondent No.1, who appears on advance service, accepts Notice and submits that she has not received a complete set of the paper book. Let the complete set of the paper book be supplied to the learned Counsel for Respondent No.1 within two days, under acknowledgment.

6. Learned Counsel for the parties submit that service to Respondent Nos. 2 and 3 i.e., the driver and owner of the vehicle may be dispensed with.

7. Subject to the deposit of entire decretal amount inclusive of up-to-date interest within a period of 6 weeks, the operation of the Impugned Award shall remain stayed till the next date of hearing. In the event, there is any default in depositing the amount, the interim protection granted by this Court shall automatically stand vacated.

7.1 Upon deposit by the Appellant, 50% of the deposited amount inclusive of up to date interest shall be released to the Respondent/claimant in accordance with scheme, as is set out in the Impugned Award.

8. 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.

9. The parties seek and are granted time to file their respective written synopsis, not exceeding three pages each, at least three days before the next date of hearing, along with the compilation of judgments, if any, they wish to rely upon.

9.1 All judgments sought to be relied upon shall be filed with an index which also sets out the relevant paragraph numbers and the proposition of law that it sets forth.

10. List on 10.12.2025.



11. The parties will act based on the digitally signed copy of the order.

TARA VITASTA GANJU, J

MAY 28, 2025/r

Click here to check corrigendum, if any