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

+ **MAC.APP. 760/2019**

THE NATIONAL INSURANCE CO LTD Appellant

Through: None.

versus

RAGHAVENDRA SHARMA & ORS Respondents

**Through: Mr. Bhuvenshwar Tyagi, Adv.
for R-1**

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

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13.02.2024

1. This hearing is being conducted through hybrid mode.

**CM APPL. 8455/2024 (For release of amount) in MAC.APP.-
760/2019**

2. This application has been moved on behalf of the applicant/respondent No.1/injured seeking release of the amount of compensation awarded by the learned Tribunal vide judgment-cum-award dated 30.05.2019.

3. None appeared on behalf of the appellant/Insurance Company despite advance notice.

4. Perusal of the record shows that vide order dated 10.10.2019, the main plea of the appellant/Insurance Company was noted by this Court to the effect that a reduction in the amount of compensation is justifiable where the injured has been in continuous employment despite the injuries suffered. In this regard, reference was invited to the decision in **Royappan v. The Divisional Manager, The United**



India Insurance Co. Ltd. & Anr., Civil Appeal No. 19840/2017
dated 26.09.2019.

5. The amount of compensation has already been deposited by the appellant/Insurance Company with interest out of which, 20% has already been released to the applicant/respondent No.1/injured. Let 50% of the amount of total compensation lying deposited as per the award by the learned Tribunal, be released to the applicant/respondent No.1/injured with accrued interest forthwith.

6. The application stands disposed of accordingly.

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7. Re-notify on the date already fixed i.e. 31.07.2024.

8. A copy of this order be given *dasti* to learned counsel for the applicant/respondent No.1/injured.

DHARMESH SHARMA, J.

FEBRUARY 13, 2024
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