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

+ **MAC.APP. 363/2025 & CM APPL. 34755-34756/2025**

RELIANCE GENERAL INSURANCE CO. LTD.Appellant

Through: Mr. Shashank Manish, Ms. Nidhi Sahay & Mr. Ritansh Kumar Nand, Advocates.

versus

SHANTI DEVI AND ORS

.....Respondents

Through:

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

% **29.05.2025**

CM APPL. 34756/2025 [Exemption from filing certified/typed copies]

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

MAC.APP. 363/2025 & CM APPL. 34755/2025 [Stay]

3. The present Appeal has been filed on behalf of the Appellant under Section 173 of the Motor Vehicle Act, 1988 impugning the judgment and award dated 22.03.2025 [hereinafter referred to as "Impugned Award"] passed by the learned Presiding Officer, MACT-02, Central, Tis Hazari Courts, Delhi. By the Impugned Order, compensation in the sum of Rs.22,66,488/- has been awarded along with interest at the rate of 9% per annum to the Respondent No.1/Claimant.
4. Learned Counsel for the Appellant raises two challenges in the



present Appeal. Firstly, it is submitted that the insurance policy that was taken by the insured was limited to the extent of Rs.1,00,000/- cap on the payment *qua* a pillion rider. Learned Counsel for the Appellant submits that although the cap existed in the policy, the learned Tribunal has held that the cap is unjustified and thus awarded amounts in addition to the cap. Secondly, it is contended that the minimum wages have been taken as on the date of the award instead of the date of the accident, as is requisite in law, which has not been done in the present case.

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

6. 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.

6.1 Once deposited, the Respondent No.1/Claimant is at liberty to file an appropriate Application for withdrawal of the amounts so deposited.

7. List before the concerned Registrar for completion of service on 10.09.2025.

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

TARA VITASTA GANJU, J

MAY 29, 2025/ ha

[Click here to check corrigendum, if any](#)