



\$~A-77

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

+ **MAC.APP. 313/2024**

SPRINGDALES SCHOOLAppellant
Through: **Mr. Prabhat Kumar, Advocate.**

versus

SH. MAHESH & ORS.Respondent
Through: **None.**

CORAM:
HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER
% **14.08.2024**

CM APPL. 46597/2024

1. The instant application has been filed by the appellant/applicant for modification of the order dated 2nd August, 2024, passed by this Court. It is submitted that in paragraph no. 2, due to a typographical error, the last date of hearing has been mentioned as '11th July, 2024' instead of '3rd July, 2024'.

2. Heard learned counsel for the petitioner and perused the application and order dated 2nd August, 2024.

3. The application is allowed and the order dated 2nd August, 2024 is modified to the extent that in paragraph no. 2, the date '11th July, 2024' shall be read as '3rd July, 2024'. Paragraph no. 2 of the order dated 2nd August, 2024 after modification shall read as under:-

"2. Learned counsel appearing for the appellant submitted that the matter was listed on 3rd July, 2024 and when this Court had issued notice to the respondents, no stay/interim



order was granted on that date. It is further submitted that notice was served upon respondent No.3 and service proof has already been filed vide Diary No.E-2709407/2024, but the same is not on record. He submitted that the Registry may be directed to place it on record before the next date of hearing. Learned counsel for the appellant submitted that a recovery certificate under Section 174 of the Motor Vehicles Act has already been issued to the appellant by the competent authority and proceedings are listed on 7th August, 2024 before the MACT for recovery and on 3rd July, 2024, the MACT has passed the following order:-

“The SDM Delhi Catt. is required to proceed in accordance with law when it is mentioned in the report itself that there is no stay order from the Hon’ble High Court, concerned SDM is required to proceed ahead with the recovery to uphold the process of law and to give the report positively by next date of hearing by appear in person. Fresh RC be issued in this regard for effecting for recovery of sum of Rs.19,09,691/- towards the compensation in favour of DH/petitioner”.

4. The application is disposed of.

CHANDRA DHARI SINGH, J

AUGUST 14, 2024

NA/av

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