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

+ **MAC.APP. 378/2025, CM APPL. 36385/2025**

IFFCO TOKIO GENERAL INSURANCE CO. LTD. ....Appellant

Through: Mr. Navneet Kumar, Mr Harsh  
Sharan, Advs.

versus

KIARA & ORS.

.....Respondents

Through:

**CORAM:**

**HON'BLE MS. JUSTICE TARA VITASTA GANJU**

**ORDER**

% **30.05.2025**

**CM APPL. 36387/2025** [*Condonation of delay in re-filing the Appeal*]

1. This is an Application filed by the Appellant seeking condonation of delay of 40 days in re-filing the Appeal.
2. For the reasons as stated in the Application, the delay is condoned.
3. The Application stands disposed of.

**CM APPL. 36386/2025** [*Exemption from filing certified/dim copies*]

4. Allowed, subject to the Appellant filing certified/dim copies of the annexures within a period of three weeks.
5. The Application stands disposed of.

**MAC.APP. 378/2025, CM APPL. 36385/2025** [*Stay*]

6. The present Appeal has been filed under Section 173 of the Motor Vehicle Act, 1988 [hereinafter referred to as "MV Act"] impugning the award dated 24.12.2024 [hereinafter referred to as "Impugned Award"]



passed by the learned Presiding Officer, Motor Accident Claims Tribunal, (North West), Rohini Courts, Delhi. By the Impugned Award, an amount in the sum of Rs.2,50,000/- has been awarded by the learned Tribunal.

7. The only grievance that has been raised by the Appellant is that the Impugned Award was passed by the learned Tribunal without any trial or evidence lead by either party.

8. Learned Counsel for the Appellant seeks to rely upon the order sheets of the learned Tribunal, more specifically the orders dated 07.08.2024, 28.09.2024 and 24.12.2024, wherein the learned Tribunal converted the Detailed Accident Report ('DAR') into a Petition under Section 164 of the MV Act and thereafter allowed the same without any trial.

8.1 Learned Counsel for the Appellant submits that no interest has also been granted on the awarded amount by the learned Tribunal.

9. Issue Notice.

9.1 On steps being taken, let Notice be issued to the Respondents *via* all modes. An Affidavit of service be filed within a period of two weeks.

10. Subject to the deposit of entire decretal amount 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.

10.1 Upon deposit by the Appellant, the Respondents/Claimants are at liberty to move an appropriate Application for release of the deposited amount in accordance with scheme, as is set out in the Impugned Award.

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 on 12.09.2025 for completion of service.

13. The parties shall act based on the digitally signed copy of the order.

**TARA VITASTA GANJU, J**

**MAY 30, 2025/jn**

*Click here to check corrigendum, if any*