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

+ **MAC.APP. 795/2019**

VICKY VERMA

..... Appellant

Through: Mr. S.N. Parashar, Advocate.

versus

RAJ KUMAR & ORS (ORIENTAL INSURANCE COMPANY LTD)

..... Respondent

Through: Mr. Himanshu Gambhir, Advocate
with Mr.S.P. Jain, Advocate for
respondent No.3.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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11.03.2020

C.M. No.42006/2019 (for condonation of delay in filing)

This is an application for condonation of delay of 06 days in filing the appeal.

For the reasons stated in the application, the same is allowed and delay is condoned.

Application stands disposed of.

C.M. No.42007/2019 (for condonation of delay in re-filing)

This is an application for condonation of delay of 17 days in re-filing the appeal.

For the reasons stated in the application, the same is allowed and delay is condoned.

Application stands disposed of.

MAC. APP. No.795/2019

The appellant/injured impugns award dated 20.04.2019 whereby a

total sum of Rs.5,82,000/- has been awarded on the following counts:-

“Thus, the total compensation is assessed as under:-

1.	Medical bills	Rs.	21982/-
2.	Loss of studies/income	Rs.	30,000/-
3.	Conveyance, special diet & attendant charges	Rs.	30,000/-
4.	Compensation under non-pecuniary heads	Rs.	4,00,000/-
5.	Pain and suffering caused to the parents	Rs.	1,00,000/-
<u>Total</u>		Rs.	<u>5,81,982/-</u>
<u>Rounded off to</u>		Rs.	<u>5,82,000/-</u>

Counsel appearing for the appellant states that the appellant, who at the time of accident was only 14 years of age, has suffered 57% permanent physical impairment in relation to his right lower limb, as also recorded in the impugned Award. However, the Tribunal has only awarded a sum of Rs.4 lacs as compensation under non-pecuniary heads, while not awarding any amount towards pecuniary heads including for loss of future prospects.

Issue notice.

Mr. Himanshu Gambhir, learned counsel for the respondent No.3/Insurance Company, which is stated to be the only contesting party, appears on advance copy, accepts notice and seeks time to examine the matter.

Record of the Tribunal has been received.

List for hearing on 13th July 2020.

ANUP JAIRAM BHAMBHANI, J

MARCH 11, 2020/Ne