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

+ **MAC.APP. 390/2025**

RAJ KUMAR & ORS.

.....Appellants

Through: Mr. Anshuman Bal, Advocate.

versus

NEW INDIA ASSURANCE CO LTD & ORS.Respondents

Through: Mr. Manish Maini, Advocate for Mr.
JPN Shah, Advocate for R-1.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

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03.07.2025

CM APPL. 38008/2025 [*Exemption from filing certified copies*]

1. Allowed, subject to the Appellants filing certified copies of the Impugned Order and other documents within three weeks.
2. The Application stands disposed of.

CM APPL. 38009/2025 [*Exemption from filing TCR*]

3. 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.
4. The Application stands disposed of.

MAC.APP. 390/2025

5. The present Appeal has been filed under Section 173 of the Motor Vehicles Act, 1988 seeking to challenge an award dated 07.02.2025 passed by the learned Presiding Officer, MACT-01, South-West District, Dwarka



Courts, New Delhi [hereinafter referred to as “Impugned Award”]. By the Impugned Award a sum of Rs.6,35,500/- has been awarded along with 7.5% interest.

6. Learned Counsel for the Appellants submits that the challenge in the present Appeal is limited only to one ground that double deduction has been made by the learned Trial Court. Relying on Paragraphs 31 and 32 of the Impugned Award, he submits that in the first instance 50% deduction for loss of dependency was made by the learned Trial Court, and thereafter, 1/4th deduction in terms of *Sarla Verma & Ors. v. DTC & Anr*; (2009) 6 SCC 121 was also made. Thus, he contends that the amounts as awarded were inadequate.

7. Issue Notice on this limited ground.

7.1 Learned Counsel for Respondent No.1 accepts Notice.

7.2 On steps being taken, let Notice be served on Respondent Nos.2 and 3 via all modes. Affidavit of service be filed within two weeks.

8. 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.

9. List before the Registrar on 17.09.2025.

TARA VITASTA GANJU, J

JULY 3, 2025/pa

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