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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ MAC.APP. 39/2021

UNITED INDIA INSURANCE CO. LTD Appellant
Through: Mr. Sankar N. Sinha, Advocate.

versus

SH.LAKSHYA GUPTA AND ORS Respondents
Through: Mr. M.P.Shahi, Advocate.

CORAM:
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

% **ORDER**
22.01.2021

CM APPL.2353/2021(exemption)

Exemption is allowed subject to all just exceptions.

MAC.APP.39/2021 & CM APPL.2352/2021(stay)

1. Appellant impugns Award dated 26.10.2020 whereby the claim for compensation filed by respondent no.1 on account of injuries sustained in a motor accident has been allowed.
2. Learned counsel appearing for the appellant/Insurance Company contends that the Tribunal has erred in awarding a sum of Rs.7,38,759.34 towards '*medicines and medical expenses*'. He submits that a sum of Rs.4,76,498/- was reimbursed by the Department of the father of the claimant and as such this amount should have been adjusted.
3. Learned counsel further contends that as per the medical opinion, there is no permanent disability as such the Trial Court has erred in awarding *loss of future income and prospects* at Rs.22 lakhs and that admittedly there is no permanent disability.



4. Issue notice. Notice is accepted by learned counsel appearing for respondent no. 1. Since respondents no. 2 and 3 are driver and registered owner of the vehicle respectively and no relief is being claimed against respondents no. 2 and 3, service of notice to respondents no. 2 and 3 is discharged.
5. Learned Counsel for the respondent No. 1 submits that the claim of Rs.7,38,759.34 towards '*medicines and medical expenses*' was over and above the sum of Rs. 4,76,498/- that was reimbursed by the Department of the father of the claimant.
6. Appellant shall deposit the entire awarded amount with the Tribunal within a period of three weeks from today and out of the awarded amount, Tribunal shall release upto 40% of the awarded amount along with the interest thereon and the balance amount shall be kept in an interest-bearing fixed deposit.
7. Digital Copy of the Tribunal's Record be requisitioned.
8. List on 27.07.2021.
9. Copy of the order be uploaded on the High Court website and be also forwarded to learned counsels through email by the Court Master.

SANJEEV SACHDEVA, J

JANUARY 22, 2021

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