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

+ **MAC.APP. 334/2022**

NATIONAL INSURANCE COMPANY LIMITED Appellant

Through: **Amit Kumar Singh, Ms. K. Enatoli
Sema and Mr. Prang Newmai,
Advocates.**

versus

JAGDEEP SINGH (INJURED) & ORS. Respondents

Through:

**CORAM:
HON'BLE MR. JUSTICE RAJNISH BHATNAGAR**

ORDER

% **31.10.2022**

CM APPL. 46223/2022 (Exemption)

Exemption allowed, subject to just exceptions.

The application stands disposed of.

MAC.APP. 334/2022 & CM APPL. 46222/2022

The appellant has preferred the present appeal under Section 173 of the Motor Vehicles Act against the Award dated 06.07.2022 passed by the Presiding Officer, MACT-II, West, Tis Hazari Courts, Delhi in MAC Petition No. 34/2017.

It is submitted by the counsel for the appellant that learned Tribunal has committed an error in not appreciating that the discharge certificate



dated 11.08.2016 did not contain specific instructions pertaining to neurological problems and the functional disability assessed as 100% by the Tribunal is totally unjustified. He further submitted that the amount granted under the head of loss of future income is totally unjustified, and not on the basis of any document and wrong appreciating of the medical certificate of the injured. He further submitted that even the doctor who has examined the injured has stated that the injured is not able to work off and on, and it is not because that the injured was not able to work permanently. He further submitted that at the time of the accident, the injured was a first year student of B.Tech. He however completed his B.Tech course, which clearly shows that there was no neurological problem.

Issue notice to the respondents by all permissible modes on the appellant taking the necessary steps, returnable on 1st March, 2023.

Subject to deposit of the 75% awarded amount, if not deposited, with the Tribunal within four weeks from today, the impugned Award shall remain stayed.

Dasti.

RAJNISH BHATNAGAR, J

OCTOBER 31, 2022/ib