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

+ **MAC.APP. 337/2022**

NATIONAL INSURANCE COMPANY LIMITED..... Appellant

Through: Mr. M.R.Sinha, Advocate.

versus

SH. MUKESH AND ORS

..... Respondent

Through: Mr. Gurmit Singh Hans and Ms.
Somya Chugh, Advocates for R-1 to
3.

CORAM:

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

% **09.11.2022**

CM APPL. 46522/2022 (Exemption)

Exemption allowed, subject to just exceptions.

The application stands disposed of.

MAC.APP. 337/2022 & CM APPL. 46729/2022 (stay)

The appellant has preferred the present appeal under Section 173 of the MV Act against the impugned Award dated 05.07.2022 passed by the Presiding Officer, MACT, North District, Rohini Courts, New Delhi in petition bearing no. 7011/2016.

Issue notice. Learned counsel for respondent nos.1 to 3 appears and accepts notice.

Counsel for respondent nos.1 to 3 submitted that he has not received the copy of the appeal paper-book. Let the same be supplied to counsel for respondent nos. 1 to 3 within two weeks. Reply/response, if any be also filed



before the next date of hearing.

It is submitted by the counsel for the appellant that connected appeal with regard to the same Award and same accident has been filed by the driver and owner of the offending vehicle, and is listed before this Court on 22.02.2023.

List along with the connected appeal on 22nd February, 2023.

Notice to respondent nos. 4 and 5 be issued by all permissible modes on the appellant taking the necessary steps, returnable before the date fixed i.e 22.02.2023.

Subject to deposit of the entire awarded amount with the Tribunal within four weeks from today, the impugned Award shall remain stayed.

On the oral prayer of the counsel for respondent nos. 1 to 3, 50% of the awarded amount be released to claimants/respondents as per the scheme of the Award, after depositing of the entire awarded amount by the appellant.

Dasti.

RAJNISH BHATNAGAR, J

NOVEMBER 9, 2022/ib