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

+ **MAC.APP. 434/2025**

SHRI BINOD BHAGAT & ORS.

.....Appellants

Through: Mr. Manoj Bhandari & Mr. Dilip
Kumar, Advocates.

versus

SHRI PRAMOD CHAURASIA & ORS.

.....Respondents

Through:

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

17.07.2025

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1. The present Appeal has been filed on behalf of the Appellants under Section 173 of the Motor Vehicles Act, 1988 against the award dated 10.03.2025 [hereinafter referred to as "Impugned Award"] passed by learned Presiding Officer, MACT-01, South East, Saket Courts, New Delhi.

1.1 The challenge in the present Appeal is for enhancement of the amount of compensation awarded in the sum of Rs.32,63,871/- along with 7.5% interest per annum.

2. Learned Counsel for the Appellants limits the ground for challenge in the present Appeal to one aspect. It is submitted that the income of the deceased, which has been taken by the learned Tribunal was for the Financial Year 2014-15 (Assessment Year 2015-16). Learned Counsel submits that the accident took place in March, 2017 and that the Income Tax Returns for the Financial Year 2015-16 (Assessment Year 2016-17) should



have been taken by the learned Tribunal instead. Learned Counsel submits that this has led to an infirmity in the finding of the learned Tribunal.

3. Issue Notice on this limited ground. On steps being taken, let Notice be issued to the Respondents *via* all modes. An affidavit of service be filed within two weeks.

4. 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.

5. List before the concerned Registrar for completion of service on 10.09.2025.

TARA VITASTA GANJU, J

JULY 17, 2025/ ha