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

+ **MAC.APP. 392/2024**

SAJJAN

.....Appellant

Through: Mr. Shrey Chathly, Ms. Monika Gurwala and Mr. Manish Dhaker, Advocates

versus

CHOLAMANDALAM MS GEN. ISN. CO. LTD AND ANR

.....Respondents

Through: Mr. Suman Bagga, Advocate for R-1

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

% **31.07.2024**

CM APPL. 43222/2024 (Exemption)

Exemption allowed subject to just exceptions.

The application stands disposed of.

CM APPL. 43223/2024 (Seeking condonation of delay in filing the appeal)

The instant application under 5 of the Limitation Act, 1963 read with Section 151 of the Code of Civil Procedure, 1908 has been filed on behalf of the appellant seeking condonation of delay in filing the appeal.

For the sufficient cause being shown in the application, the same is allowed and the delay of 50 days, in filing the appeal, is condoned.

Accordingly, the application stands disposed of.



MAC.APP. 392/2024

1. The instant appeal has been filed by the appellant for enhancement of the compensation awarded by the learned Tribunal.
2. Learned counsel appearing on behalf of the appellant submitted that learned Tribunal awarded a very meagre amount under the head of non-pecuniary head. It is submitted that learned Tribunal awarded meagre compensation under the head of permanent disability.
3. Learned counsel appearing on behalf of the appellant further submitted that while awarding the compensation as claimed, the learned Tribunal had not considered the case of the appellant as per the judgments of the Hon'ble Supreme Court. It is submitted that the formula which has been prescribed therein for the purpose of awarding the compensation was not correctly applied.
4. Learned counsel appearing on behalf of appellant submitted that in the present matter, notice may be issued to the respondent no. 1 and the notice *qua* the other respondents may be dispensed with.
5. Heard learned counsel appearing on behalf of the appellant and perused the impugned award and the other documents on record.
6. This Court is of the opinion that the matter requires consideration.
7. Issue notice. Learned counsel for the respondent no. 1 appearing on advance notice accepted notice.
8. Trial Court Record be requisitioned in digital form before the next date of hearing.
9. As prayed, notice *qua* the respondents other than respondents no. 1 shall be dispensed with.
10. The parties are directed to file written arguments along with the



convenience compilation of documents, if any before the next date of hearing.

11. List on 6th November, 2024.

JULY 31, 2024
gs/aa

CHANDRA DHARI SINGH, J

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