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

\+ MAC.APP. 394/2024 & CM APPL. 43808/2024

NATIONAL INSURANCE CO LTD .....Appellant

Through: Ms Hetu Arora Sethi, Advocate.

versus

MRS RUPALI PANDY & ORS. .....Respondents

Through: Mr. Varun Sarin, Advocate for R- and R-2.

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

<u>O R D E R</u>

% **25.03.2026**

<u>CM APPL. 11155/2025</u>

1. By order dated 04th September 2025, time was given to the parties by the Court to file reply/rejoinder and an amount of *Rs. 15,00,000/-* was directed to be released (*It is noted that the mention of Rs. 50,00,000/- in the order dated 20th February 2026 should be read as Rs.15,00,000/-)*

2. However, by order dated 4th September 2025, the application was wrongly treated as disposed of, while it was still pending.

3. The issue raised by *Mr. Varun Sarin*, counsel for the claimants/respondents, is that the deceased was the only breadwinner of the family, which comprises the wife and the daughter. The family is not only incurring expenses towards the EMI for the home loan, but the daughter is also suffering from a chronic disease, incurring medical expenses every

month, and she is also preparing for competitive examinations. Accordingly, there is a desperate need for financial assistance

4. The Motor Accidents Claims Tribunal ('***MACT***'), by the impugned award, had awarded an amount of *Rs.1,14,96,298/-* along with interest @ *9%* per annum. Out of this amount, *Rs. 64,47,898/-* was apportioned to the wife, out of which *Rs. 14,47,898/-* was directed to be released, whereas the remaining amount was directed to be kept in monthly FDRs of *Rs. 50,000/-* each.

5. As regards the daughter, an amount of *Rs. 50,48,400/-* was apportioned; however, the entire amount was directed to be kept in FDRs till her marriage.

6. *Mr. Varun Sarin*, states that the direction by the MACT was, with respect to the daughter, at the very least, unfair to the extent that she would not be a beneficiary of compensation, and it was conditional upon her marriage, which is an unnecessary condition and contingency that has been applied.

7. In view of the above facts and circumstances, it is directed as under:

(i) The condition in *paragraph 38* of the impugned award *"whole of the amount be kept in the form of FDR till her marriage*" shall stand removed from the MACT award.

(ii) An amount of Rs. 15,00,000/- will be released to the daughter in lump sum by liquidating the requisite number of FDRs.

(iii) The remaining amount, along with accrued interest, shall be kept in Fixed Deposit Receipts (FDRs) of Rs. 25,000/- each for periods of 1 month, 2 months, 3 months and so on, in succession as maybe calculated. The interest accruing on the said FDRs shall be credited to the designated Savings Bank Account of the daughter of the deceased. The amount of FDRs on maturity would be released to the Savings Bank Account of claimant upon due verification.

(iv) As far as the wife of the deceased is concerned, an additional amount of *Rs. 15,00,000/-* (aside from *Rs. 15,00,000/-* released *vide* order dated 4th September 2025 *and Rs. 14,47,898/- released* by the MACT) will be released to the wife in lump sum by liquidating the requisite number of FDRs. The remaining amount shall continue as per *paragraph 37* of the MACT award.

8. Application is, accordingly, disposed of.

9. List on 21st August 2026.

10. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MARCH 25, 2026/RK/bp