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

+ MAC.APP. 932/2019

MANISH KUMAR & ANR

..... Appellants

Through: Mr. Dinesh Gaur, Advocate with
Mr. Roopak Gaur, Advocate

versus

PARTAP SINGH & ANR (NATIONAL INSURANCE CO LTD)

..... Respondents

Through: Mr. Manoj R. Sinha, Advocate for
R-2/NIC.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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11.03.2020

CM APPL.No.9432/2020 (delay)

By this application, the appellants seeks condonation of delay of 477 days in filing the present appeal. The main contention raised by learned counsel for the appellants is that the appellants are residents of District Una and District Solan in Himachal Pradesh and were not aware of the pendency of the claim petition. According to the applicants, they only learned about the pendency of the claim petition when they were served with notice in the execution petition on 27.08.2019.

The challenge in the appeal is restricted to the recovery rights granted to respondent No.2/Insurance Company inasmuch as the recovery rights are premised on the Tribunal's opinion that appellant No.1 did not hold a valid driver's licence on the date of the accident, which the appellants dispute.

Issue notice on the application.

Learned counsel for respondent No.2/Insurance Company appears on advance copy, accepts notice ; and seeks time to file reply.

Let reply be filed within four weeks ; rejoinder thereto, if any, be filed within two weeks thereafter.

List for consideration of the application on 19th May, 2020.

CM APPL.No.52913/2019 (for stay)

By this application, the appellants seeks stay of execution proceedings.

Learned counsel for respondent No.2/Insurance Company states that till the next date of hearing, respondent No.2 will not press the execution petition, which is listed next on 27th March 2020.

List on 19th May 2020.

ANUP JAIRAM BHAMBHANI, J.

MARCH 11, 2020/vk