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

+ **MAC.APP. 411/2024**

SHRIRAM GENERAL INSURANCE CO. LTDAppellant

Through: Ms. Sunanda Nimisha, Advocate
(Through VC)

versus

ASHOK KUMAR & ORS.Respondents

Through: Mr. Pankaj Gupta, Advocate for R-1

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

% **07.08.2024**

CM APPL. 44855/2024 (Exemption from filing certified/translated copies) & CM APPL. 44856/2024 (Exemption from filing legible copies of annexures)

Exemption allowed subject to just exceptions.

The applications stand disposed of.

CM APPL. 44857/2024 (Seeking condonation of delay in filing the appeal)

The instant application under Section 5 of the Limitation Act, 1963 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 48 days, in filing the appeal, is condoned.

Accordingly, the application stands disposed of.



MAC.APP. 411/2024 & CM APPL. 44854/2024 (Stay)

1. The instant appeal under Section 173 of the Motor Vehicles Act, 1988 has been filed on behalf of the appellant seeking the following reliefs:

“(i) Allow the Appeal and set aside the award dated 23/02/2024 passed by the Learned Motor Accident Claims Tribunal, Karkardooma, New Delhi in Suit No.703/2018 qua the Appellant Insurance Company in the interest of justice, equity and fair play.

(ii) Call for the record of the Motor Accidents Claim Tribunal;
(iii) Grant any other relief, which this Hon’ble Court may deem fit in the facts and circumstances of the present case in the favour of the Appellant in the interest of justice, equity and fair play. ”

2. 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.

3. Heard.

4. Issue notice of the appeal and the accompanying application of stay. Learned counsel appearing on behalf of the respondent no. 1 accepted notice.

5. This Court is of the considered view that the matter requires consideration. Subject to the appellant’s depositing the entire compensation amount along with the interest from the date of the institution of the claim as per the impugned award before the Registrar General of this Court within a period of four weeks, the operation of the impugned award shall remain stayed till the next date of hearing. The amount so deposited by the



appellant shall be invested in an interest bearing FDR in an auto renewal mode.

6. As prayed, notice *qua* the respondents other than respondent no. 1 shall be dispensed with.

7. Trial Court Record be requisitioned in digital form before the next date of hearing.

8. The parties are directed to file written arguments before the next date of hearing.

9. List on 4th November, 2024 for final hearing.

CHANDRA DHARI SINGH, J

AUGUST 7, 2024
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Click here to check corrigendum, if any