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

+ MAC.APP. 939/2019, CM APPL. 53219/2019, CM APPL.
53220/2019, CM APPL. 53221/2019 & CM APPL. 53222/2019

VINOD SETHI

..... Appellant

Through: Mr. Kanishk Rana and Mr.
Yashvardhan, Advocates.

versus

NATIONAL INSURANCE COMPANY LIMITED & ORS

..... Respondents

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

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **19.12.2019**

Issue notice.

The learned counsel named above accepts notice on behalf of the insurance company.

This appeal impugns the award of compensation dated 02.06.2015 passed by the learned MACT in Case No. 554/10 on the ground that there is no evidence whatsoever to the fact that the insured vehicle was being used as a taxi. The learned counsel for the appellant submits that the insured vehicle was lent to the neighbour gratuitously, therefore, for the impugned order to have held the appellant liable for the payment of compensation is a fundamental error.

Mr. Kanishk Rana, the learned counsel for the appellant further submits that the conduct of the appellant has in no way breached any policy



condition. The conclusion of the learned Tribunal is erroneous on the facts.

The learned counsel for respondent no. 1 states that there is an unexplained delay of 1665 days.

List on 21.05.2020.

In the interim, no precipitate action shall be taken against the appellant.

NAJMI WAZIRI, J

DECEMBER 19, 2019

AB