



\$~46

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

+ **MAC.APP. 471/2025**

GO DIGIT GENERAL INSURANCE CO.LTD.Appellant

Through: Mr. Sameer Nandwani, Mr.Arpit Raj
and Mr. Rattan K. Mishra, Advs.

versus

BHUPAT & ORS.Respondents

Through: Mr. J.A. Chaudhary, Mr. Rajesh
Kumar, Advs. for applicant/
respondent no.1.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

%

30.04.2026

CM APPL. 29030/2026 (for release of amounts)

1. This application has been filed seeking release of a partial amount of the compensation deposited, in order to meet the expenses to be incurred on the upcoming marriage of the daughter of the injured/claimant.
2. Notice was issued on 29th July 2025 in this appeal filed by the Insurance Company against the Award dated 31st May 2025 passed by the Motor Accident Claims Tribunal, Tis Hazari Courts, Delhi (*'MACT'*) in MACT No.1088/2023. The operation of the Award was stayed, subject to deposit of the entire compensation amount, along with up-to-date interest, and release of 35% was directed in favour of respondent no. 1, in terms of the scheme as set out in the impugned award.
3. It is stated that applicant/respondent no.1 is the sole bread winner of the family, which consists of six members, and has suffered 60% physical



impairment in relation to his lower limb which has rendered him 100% incapacitated. The eldest of the three children is daughter, aged about 22 years and her marriage is fixed for 19th June 2026. Marriage card has also been appended along with application.

4. Applicant has no other sources of income except for the compensation amount which is released from this Court. It is contended that the same is highly insufficient, considering the release was of only 35% of the compensation.

5. It has been noticed that this matter forms part of a bunch of matters, which are being considered by the Court on the issue of *pay and recovery*.

6. Considering that the issue of liability is contested *inter se* between the Insurance Company and the owner/driver, the claimant should not be deprived of compensation in the interim, particularly when the same is required for personal and emergent needs.

7. *Mr. J.A. Chaudhary*, counsel for applicant, states that he has counselled respondent no. 1/applicant, and that he is aware that pursuant to this withdrawal, a lesser amount would remain as the balance compensation amount. However, he states, on instructions, that they are in dire need of the money for the marriage of the daughter.

8. In these facts and circumstances, application is allowed.

9. Accordingly, an amount of *Rs.10,00,000/-* be released by liquidating the requisite number of FDRs by the concerned bank in favour of respondent no.1/applicant.

10. Counsel appears on behalf of appellant/Insurance Company and submissions of respondent no.1/claimant have been taken note of.

11. Accordingly, the applications is disposed of.



MAC.APP. 471/2025

1. List on 16th September 2026, the date already fixed.
2. Copy of this order be sent to concerned bank for information and compliance.
3. Order be given *dasti* under the signature of the Court Master.
4. Order be uploaded on the website of this Court.

ANISH DAYAL, J

APRIL 30, 2026/ak/bp