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

+ **MAC.APP. 5/2023 & CM Appl.298/2023**

IFFCO TOKIO GENERAL INSURANCE CO LTD.....Appellant

Through: Mr. A.K. Soni, Adv.

versus

SMT RAJESH & ORS.Respondents

Through: Mr. Munish Kumar Sharma, Adv. for

R-1 to 4.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

% **05.05.2025**

CM Appl. 37755/2023[For release of the amount]

1. This is an Application filed on behalf of Respondent Nos. 1 to 4 for release of the awarded amount.

2. Learned Counsel for the Appellant submits that the Appellant has challenged the Impugned Award on the aspect of negligence of the driver has not been proved.

3. In view of the foregoing, this Court deems it apposite to direct to release the 50% of the awarded amount inclusive of interest in favour of the Respondent Nos. 1 to 4 in terms of the Impugned Award dated 20.10.2022.

3.1 However, since the apportionment has not been done by the learned Tribunal, Respondent Nos. 1 to 4 are at liberty to file an appropriate Application before the learned Trial Court for modification/review of the Impugned Award.

4. Accordingly, the Application is disposed of.

MAC.APP. 5/2023 & CM Appl.298/2023[Stay]

5. The order dated 15.05.2024 has not been complied with by

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Respondent Nos. 1 to 4. Let the needful be done at least one week before the next date of hearing.

6. List on 09.12.2025.

7. The parties will act based on the digitally signed copy of the order.

TARA VITASTA GANJU, J

MAY 5, 2025/r

Click here to check corrigendum, if any

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