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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **MAC.APP. 494/2025 & CM Appl. 48853/2025**
RELIANCE GENERAL INSURANCE CO. LTD.Appellant
Through: Mr. A.K. Soni, Adv.

versus

SHILPA CHAUDHARY & ORS.Respondents
Through:

CORAM:
HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

% **08.08.2025**

CM Appl. 48852/2025/Exemption from filing certified copy of the impugned award]

1. Allowed, subject to the Appellant filing certified copy of the Impugned Award within a period of three weeks.
2. The Application stands disposed of.

MAC.APP. 494/2025 & CM Appl. 48853/2025/Stay]

3. The present Appeal has been filed under Section 173 of the Motor Vehicles Act, 1988 impugning the award dated 30.05.2025 passed by the learned Presiding Officer, MACT, East District, Karkardooma Courts, Delhi [hereinafter referred to as "Impugned Award"]. By the Impugned Award, the compensation in the sum of Rs. 79,07,000/- along with interest at the rate of 7.5% per annum has been awarded.
4. Learned Counsel for the Appellant raises two challenges to the Impugned Award. Firstly, it is contended that the aspect of contributory negligence has not been considered. He submits that the deceased was riding a motorcycle on 01.02.2023 and his motorcycle collided with the rear



bumper of the offending vehicle while attempting to overtake it at a high speed from the left hand side.

4.1 Learned Counsel for the Appellant submits that this aspect was brought to the notice of the learned Tribunal, however, the finding of the learned Tribunal on this aspect is infirm.

5. The second ground of challenge is on the aspect of deduction of 1/4th of the income towards personal/living expense of the deceased. Learned Counsel for the Appellant submits that the dependents of the deceased are his wife, his minor son and mother and thus, it is contended that the deduction should be 1/3rd.

6. Issue Notice. Learned Counsel for the Appellant submits that service to Respondent Nos. 5 and 6 shall be dispensed with since the only challenge in the Appeal is on the quantum.

7. On steps being taken, let Notice be issued to the Respondent Nos. 1 to 4 *via* all modes. An affidavit of service be filed within two weeks.

8. Subject to the deposit of the entire decretal amount with the Registry of this Court inclusive of up to date interest within a period of six weeks, the enforcement of the Impugned Award shall remain stayed till the next date of hearing. In the event, there is any default in depositing the amount, the interim protection granted by this Court shall automatically stand vacated.

8.1 Upon deposit, let 50% of the amounts deposited inclusive of up to date interest be released in favour of Respondent Nos. 1 to 4/Claimants in terms of the scheme as set out in the Impugned Award.

9. Needless to add, the order passed for release shall be subject to the outcome of the Appeal.

10. List before the concerned Registrar for completion of service on



10.09.2025.

11. The Registry is directed to place on record the digital copy of the Trial Court Record duly paginated and book-marked in accordance with the rules of the High Court.

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

TARA VITASTA GANJU, J

AUGUST 8, 2025/r