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

+ **MAC.APP. 466/2024**

SBI GENERAL INSURANCE COMPANY LIMITED.....Appellant

Through: Ms. Niyati, Advocate (Through VC).

versus

ANITA YADAV & ORS.

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

% 04.09.2024

CM APPL. 51208/2024 (Exemption)

Exemption allowed subject to just exceptions.

The application stands disposed of.

MAC.APP. 466/2024 & CM APPL. 51207/2024 (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:-

“1) Accept the present appeal by setting aside the judgement dated 06.06.2024 passed by the presiding officer MACT 02, Central, Tis Hazari Courts, Delhi in MACT No. 306/2018 titled as Anita Yadav & Ors. v. Devender Singh & Ors.

2) Cost of the appeal be also awarded.”

2. Learned counsel appearing on behalf of appellant submitted that by way of the application bearing no. CM APPL. 51207/2024, the appellant seeks interim relief of stay on the operation of the impugned judgment dated 6th June, 2024. It is contended that serious prejudice would be caused to the appellant if the stay on the operation of the impugned judgment is not



granted.

3. Learned counsel for the appellant undertakes, on instructions, that the appellant shall deposit the entire compensation amount awarded by the learned Tribunal, along with interest accrued from the date of filing of the claim petition filed before the learned Tribunal. In view of the same, she prayed for grant of interim relief of stay on the operation of the impugned judgment.

4. Heard and perused the record.

5. In regard to the prayer of the appellant with respect to the interim relief, this Court is of the view that the instant matter requires consideration and, *prima facie*, the balance of convenience lies in favour of the appellant.

6. Therefore, subject to the deposition of the entire awarded compensation amount awarded by the learned Tribunal, alongwith accrued interest from the date of filing of the claim petition, before the Registrar General of this Court within six weeks from today, the operation of the impugned judgment dated 6th June, 2024 shall be kept in abeyance 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.

7. On filing PF within a week, issue notice to the respondents through all permissible modes, returnable before the Joint Registrar (Judl.) on 23rd October, 2024.

CHANDRA DHARI SINGH, J

SEPTEMBER 4, 2024

NA/av

Click here to check corrigendum, if any