



\$~53

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **MAC.APP. 529/2025 & CM APPL. 51766-51767/2025**
SH. YOGESH KUMARAppellant

Through: Mr. K.P. Jayaram, Advocate.
versus

SH. SOMBIR & ORS.Respondents
Through: Mr. Pankaj Seth, Advocate

CORAM:
HON'BLE MS. JUSTICE TARA VITASTA GANJU

% **ORDER**
21.08.2025

CM APPL. 51767/2025 [*Exemption from filing certified copies*]

1. Allowed, subject to just exceptions.
2. The Application stands disposed of.

CM APPL. 51766/2025 [*Condonation of delay*]

3. This is an Application filed on behalf of the Appellant seeking condonation of delay of 19 days in filing the present Appeal.
4. For the reasons as stated in the Application, the delay is condoned.
5. The Application stands disposed of.

MAC.APP. 529/2025

6. The present Appeal has been filed on behalf of the Appellant under Section 173 of the Motor Vehicles Act, 1988 against the award dated 02.04.2025 [hereinafter referred to as "Impugned Award"] passed by learned Presiding Officer, MACT-01, North District, Rohini Courts, Delhi.

6.1 The challenge in the present Appeal is for enhancement of the amount of compensation awarded in the sum of Rs.5,28,500/- along with 9% interest per annum.



7. The Impugned Award also reflects that disbursement/apportionment has not been undertaken since the statement under Clause 29 of the Modified Claims Tribunal Agreed Procedure [MCTAP] has not been recorded by the Appellant/Petitioner.

8. Learned Counsel appearing on behalf of the Appellant submits that he had placed on record documents in support of his contention that he was earning Rs. 50,000/- per month, despite which the learned Trial Court has calculated the compensation based on the minimum wages.

9. The second contention raised by the learned Counsel appearing for the Appellant is that the adequate compensation has not been granted by the learned Trial Court in respect of the Appellant's prosthetic leg as well as for his medical expenses.

10. Issue Notice.

10.1 Learned Counsel appearing on behalf of the Respondent No. 3 accepts Notice.

11. Learned Counsel appearing on behalf of the Appellant submits that since there is no breach of policy, the service of the Respondent Nos. 1 and 2 may be dispensed with.

12. It is ordered accordingly.

13. List on 17.11.2025 before the concerned Registrar.

14. 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.

TARA VITASTA GANJU, J

AUGUST 21, 2025/ ha/g.joshi