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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ MAC.APP. 53/2024 and CM APPL. 4088/2024 (Addl. Evidence)

BRAHAM MAHESH SHAKYA Appellant

Through: Mr. Manish Maini, Adv.

versus

THE UNITED INDIA INSURANCE COMPANY LIMITED
AND ORS Respondents

Through: Mr. Pankaj Seth, Adv. for R-1

CORAM:
HON'BLE MR. JUSTICE DHARMESH SHARMA

% **ORDER**
24.01.2024

1. This hearing is being conducted through hybrid mode.

CM APPL. 4090/2024 (Ex.)

2. Allowed, subject to all just exceptions.

3. The application shall stand disposed of.

CM APPL. 4089/2024 (Delay of 37 days in filing the present appeal) and CM APPL. 4091/2024 (Delay of 18 days in re-filing the present appeal)

4. These applications have been filed on behalf of the respondent seeking condonation of delay of 37 days in filing the present appeal and condonation of delay of 18 days in re-filing the present appeal.

5. Learned counsel for the appellant submits that he has no objection if both the applications are allowed.

6. Heard. For the reasons stated in both the applications, the delay of 37 days in filing the present appeal and the delay of 18 days in re-



filing the present appeal are condoned.

7. Both applications stand disposed of.

MAC.APP. 53/2024

8. This appeal has been filed by the claimant/injured, who has suffered permanent disability to the right lower limb to the extent of 70% .

9. Notice is accepted by learned counsel for the respondent No.1/Insurance Company.

10. There is no requirement of serving notice upon respondents Nos. 2 and 3, as no recovery rights have been granted to the respondent No.1/Insurance Company.

11. It is pointed out that a cross-appeal has been filed by the Insurance Company as well, which is listed for hearing on 12.03.2024.

12. The claimant is seeking enhancement of the compensation awarded. This is a fit case to be referred to *Pre-Lok Adalat*, for the parties to negotiate and arrive at an amicable settlement.

13. Learned counsel for respondent No.1/Insurance Company has 'no objection' to the same.

14. Accordingly, both parties are directed to appear for the *Pre-Lok Adalat* Mediation before the learned Secretary, Delhi High Court Legal Services Committee, for exploring the possibility of an amicable settlement, on 07.02.2024 at 03.00 p.m.

15. Awaiting the outcome of the *Pre-Lok Adalat* Mediation, re-notify before this Court on 12.03.2024.

16. Digitized Lower Court Record be requisitioned for the next date of hearing.

DHARMESH SHARMA, J.

JANUARY 24, 2024/sp