



\$~A-17

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

+ **MAC.APP. 481/2024**

LIBERTY VIDEOCON GEN INS CO LTDAppellant
Through: **Mr. A.K. Soni, Advocate (Through VC)**

versus

SH SARVAN & ORS.Respondent
Through: **None.**

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

% **10.09.2024**

CM APPL. 52763/2024 (Exemption)

Exemption allowed, subject to all just exceptions.

The applications stand disposed of.

MAC.APP. 481/2024 & CM APPL. 52764/2024 (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 relief:-

“It is, therefore, prayed that this Hon'ble Court may be pleased to set aside the impugned common award dated 30.05.2024 passed by Ms. Richa Manchanda, PO: MACT, North District, Rohini Courts, Delhi in MACT No.590/2019– Sh. Sarvan Vs Sh. Darvesh & Ors.”

2. Learned counsel appearing on behalf of the appellant submitted that by way of the application bearing number CM APPL. 52764/2024, the appellant seeks interim relief of stay on the operation of the impugned award dated 30th May, 2024 passed by the learned Tribunal. It is submitted that serious prejudice would be caused to the appellant in case the same is



not granted.

3. Learned counsel for the appellant, on instructions, undertakes that the appellant shall deposit the entire compensation amount awarded by the learned Tribunal, alongwith the interest from the date of filing of the claim petition filed before the learned Tribunal, before the Registrar General of this Court. Hence, he prays for grant of interim relief of stay on the operation of the impugned award.

4. Heard learned counsel appearing on behalf of the appellant.

5. Insofar as the prayer of the appellant with respect to the interim relief is concerned, this Court is of the considered 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 alongwith 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 award dated 30th May, 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 respondents through all permissible modes, returnable before the Joint Registrar (Judl.) on 29th October, 2024.

CHANDRA DHARI SINGH, J

SEPTEMBER 10, 2024

NA/sm