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

+ **MAC.APP. 490/2024**

NATIONAL INSURANCE CO. LTD.

.....Appellant

Through: Mr. Amit Kr. Singh, Ms Chubalemla
Chang and Mr Prang Newmai
Advocates (through VC).

versus

JAGDISH PRASAD AGAL AND ORS

.....Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

% **12.09.2024**

CM APPL. 53437/2024 (Exemption).

1. Exemption allowed subject to just exceptions.
2. The application stands disposed of.

CM APPL. 53438/2024 (Condonation of delay).

3. The instant application under Section 151 of the Code of Civil Procedure, 1908 has been filed on behalf of the appellant seeking condonation of delay in filing the instant appeal.
4. For the sufficient cause being shown in the application, the same is allowed and the delay of 25 days in filing the instant appeal is condoned.
5. Accordingly, the application stands disposed of.

MAC.APP. 490/2024 & CM APPL. 53436/2024 (Stay).

6. The instant appeal under Section 173 of the Motor Vehicles Act, 1988 has been filed on behalf of the appellant seeking the following reliefs:



“A. Set aside common impugned award and judgment dated 18.05.2024 in MACT No. 777/21 titled “Jagdish Prasad Agal & Anr vs Gaurav Batra & Ors, passed by Dr. Pankaj Sharma, Ld. Presiding Officer, Motor Accident Claims Tribunal (MACT), (Central -02), Tis Hazari, Delhi.

B. Pass such further and other orders as this Hon'ble Court may deem just, necessary, expedient and in the interest of justice in the facts and circumstances of the case. ”

7. Heard.
8. Issue notice to the respondents through all permissible modes on filing PF within one week.
9. This Court is of the considered view that the matter requires consideration. Subject to the appellant depositing the entire compensation amount along with the interest from the date of the institution of the claim as per the impugned award before the Registrar General of this Court within a period of six weeks, the operation of the impugned award dated 18th May, 2024 shall remain stayed 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.
10. List on 23rd October, 2024 before the Joint Registrar (Judicial) for completion of service and pleadings.

CHANDRA DHARI SINGH, J

SEPTEMBER 12, 2024

rk/av

[Click here to check corrigendum, if any](#)