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

+ **MAC.APP. 538/2025 & CM APPL. 52992-52993/2025**

SH VINOD KUMAR YADAVAppellant

Through: Mr. S.N. Parashar, Advocate.

versus

SH DEEPAK & ORS.Respondents

Through:

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

% **26.08.2025**

CM APPL. 52992-52993/2025 /Condonation of delay/

1. These are Applications filed on behalf of the Appellant seeking condonation of delay of 25 days in filing and 51 days in re-filing the present Appeal.
2. For the reasons as stated in the Applications, the delay is condoned.
3. The Applications stand disposed of.

MAC.APP. 538/2025

4. The present Appeal has been filed on behalf of the Appellant under Section 173 of the Motor Vehicles Act, 1988 against the award dated 30.01.2025 [hereinafter referred to as "Impugned Award"] passed by learned Presiding Officer, MACT, North District, Rohini Courts, Delhi.

4.1 The challenge in the present Appeal is for enhancement of the amount of compensation awarded in the sum of Rs.15,08,000/- along with 7.5%



interest per annum.

5. Learned Counsel for the Appellant submits that the challenge in the present Appeal is on two grounds. Firstly, that although the physical disability of the Appellant was 47%, the learned Tribunal reduced it to 30%. Learned Counsel seeks to rely upon the evidence that was placed on record which showed that the Appellant could not join work because the Director of the company, where he was employed, did not consider him to fit to return to work. Thus, learned Counsel submits that the disability, if any, be 100%

5.1 Secondly, it is submitted that the reduced amounts were awarded for non-pecuniary heads.

6. Issue Notice, limited to these two grounds. On steps being taken, let Notice be issued to the Respondents *via* all modes. An affidavit of service be filed within two weeks.

7. 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.

8. List before the concerned Registrar for completion of service and pleadings on 20.11.2025.

TARA VITASTA GANJU, J

AUGUST 26, 2025/ ha