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

+ **MAC.APP. 527/2024, CM APPL. 58788/2024**

THE NEW INDIA ASSURANCE CO. LTD.

.....Appellant

Through: Mr. Himanshu Bhushan and Mr.
Shagun Srivastava, Advocates.

versus

BABITA DEVI

.....Respondent

Through: Mr. G.D. Sharma, Advocate.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **07.10.2024**

CM APPL. 58789/2024 (Seeking Exemption)

1. Allowed, subject to just exceptions.
2. The application is accordingly disposed of.

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3. An Appeal under Section 173 of the MV Act has been filed for setting aside the Award dated 03.06.2024 passed by the Tribunal on the ground that the Insurance Company was in fact entitled not to recovery right, but complete exoneration as the vehicle was being driven by a minor.
4. Learned counsel has appeared on behalf of respondent No.1 to 5 claimants/injured.
5. Respondent No.6 and 7 i.e. the Driver and Owner be served on taking steps by the Appellant to be served through ordinary post and electronic mode, returnable on 06.02.2025.
6. The operation of the impugned Order is stayed subject to deposit of



entire amount along with interest in the Court within four weeks.

7. E-TCR be also summoned for the next date.

NEENA BANSAL KRISHNA, J

OCTOBER 7, 2024/va