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

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+ **MAC.APP. 608/2025, CM APPL. 59082/2025, CM APPL. 59083/2025**

NEW INDIA ASSURANCE COMPANY LIMITEDAppellant

Through: Mr. Aditya Kumar, Ms. Iva Nath,
Advs.

versus

NINGAMLA A. SHIMRAY & ORS.Respondent

Through: Mr. Anshuman Bal, Adv. for R-1 &
R-2.

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+ **MAC.APP. 609/2025, CM APPL. 59085/2025, CM APPL. 59086/2025**

NEW INDIA ASSURANCE CO. LTD.Appellant

Through: Mr. Aditya Kumar, Ms. Iva Nath,
Advs

versus

SONALEY DHAR & ORS.Respondent

Through: Mr. Anshuman Bal, Adv. for R-1 to
R-4

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

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17.09.2025

CM APPL. 59083/2025/Exemption from filing legible copy of the annexure/ in MAC APP. 608/2025

1. Allowed, subject to the Appellant filing legible copy of the annexure within a period of three weeks.



2. The Application is disposed of.

CM APPL. 59086/2025/Exemption from filing legible copy of the annexure/ in MAC APP. 609/2025

3. Allowed, subject to the Appellant filing legible copy of the annexure within a period of three weeks.

4. The Application is disposed of.

MAC.APP. 608/2025, CM APPL. 59082/2025/Stay/
MAC.APP. 609/2025, CM APPL. 59085/2025/Stay/

5. The present Appeals have been filed by the Appellant under Section 173 of the Motor Vehicles Act, 1988 impugning the awards both dated 09.05.2025 passed by the learned Presiding Officer, MACT-01, South West District, Dwarka Courts, New Delhi [hereinafter referred to as “Impugned Award”]. By the Impugned Award, the following amounts have been granted to the Respondents/Claimants in the following manner:

Appeal	Awarded Amount	Amount granted to
MAC APP. 608/2025	Rs. 76,95,500/- along with 7.5% interest	Respondent Nos. 1 and 2/Claimants
MAC APP. 609/2025	Rs. 1,00,61,500/- along with 7.5% interest	Respondent Nos. 1 to 4/Claimants

6. The only challenge in the present Appeals by the Appellant/Insurance Company is on the issue of liability.

7. Learned Counsel appearing on behalf of the Appellant/Insurance Company submits that the liability ought to have been fastened on the owner/driver of the vehicle in view of the fact that the permit for plying the vehicle was not valid as on the date of the accident.



8. Issue notice limited to this challenge.
9. Learned Counsel appearing on behalf of the Respondent Nos. 1 and 2/Claimants in *MAC APP. 608/2025* and Respondent Nos. 1 to 4/Claimants in *MAC APP. 609/2025* accepts notice and submits that there is no challenge on the quantum in the present appeal.
10. On steps being taken, let Notice be issued to the remaining Respondents *via* all modes. An Affidavit of service be filed within a period of three weeks.
11. Subject to the deposit of entire decretal amount inclusive of up-to-date interest within a period of 6 weeks, the operation of the Impugned Award shall remain stayed till the next date of hearing. In the event, there is any default in depositing the amount, the interim protection granted by this Court shall automatically stand vacated.
12. Since there is no challenge on the quantum of the award, the Respondents/Claimants are at liberty to withdraw the amounts including interest accrued thereon in accordance with the Scheme as set out in the Impugned Award.
13. 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.
14. List before the concerned Registrar for completion of service on 28.11.2025.
15. The parties will act based on the digitally signed copy of the order.

TARA VITASTA GANJU, J

SEPTEMBER 17, 2025
g.joshi