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

+ **MAC.APP. 627/2025 & CM APPL. 60557-60559/2025**

NEW INDIA ASSURANCE COMPANY LIMITED .....Appellant

Through: Ms. Awantika Manohar & Ms. Parul  
Dhurvey, Advs.

versus

SMT POOJA & ORS.

.....Respondents

Through:

**CORAM:**

**HON'BLE MS. JUSTICE TARA VITASTA GANJU**

**ORDER**

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**23.09.2025**

**CM APPL. 60557/2025 [Exemption from filing certified copies]**

1. Allowed, subject to just exceptions.
2. The Application stands disposed of.

**CM APPL. 60559/2025 [Exemption from filing official translation of vernacular documents]**

3. Allowed, subject to the Appellant filing official translation of vernacular documents within a period of three weeks.
4. The Application stands disposed of.

**MAC.APP. 627/2025 & CM APPL. 60558/2025 [Stay]**

5. The present Appeal has been filed on behalf of the Appellant under Section 173 of the Motor Vehicle Act, 1988 impugning the award dated 11.08.2025 [hereinafter referred to as "Impugned Award"] passed by the learned Presiding Officer, MACT, North West District, Rohini Courts,



Delhi. By the Impugned Award, compensation in the sum of Rs.42,34,200/- has been awarded along with interest at the rate of 9% per annum.

6. The only ground for challenge in the present Appeal raised by the Appellant is that compensation was awarded to the Respondent Nos.1 to 4/Claimants based on the minimum wage in the state of Delhi. Learned Counsel for the Appellant submits that the Respondent Nos.1 to 4/Claimants had not produced any proof that the deceased was working in Delhi.

6.1 Learned Counsel further seeks to rely upon the cross-examination of PW-1 in this behalf to submit that the wife of the deceased admitted that the Aadhar Card of the deceased pertains to Uttar Pradesh and that she herself was residing in Uttar Pradesh.

7. A perusal of the record shows that the Affidavit in Evidence that was filed by PW-1 was that the deceased was hit by a DTC Bus in Sector 4, Rohini, Delhi, pursuant to which he expired. The Affidavit also sets out that the deceased was a labourer self-employed at the time of the accident earning a sum of Rs.25,000/- per month. The deceased is survived by his wife, two daughters and a senior citizen father.

7.1 A perusal of the Impugned Award also shows that the FIR was registered at Police Station Rohini, South Rohini, Delhi on the statement of the injured.

8. Issue Notice. On steps being taken, let Notice be issued to the Respondents *via* all modes. An affidavit of service be filed within three weeks.

9. 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.

9.1 Upon deposit by the Appellant, 65% of the deposited amount inclusive of up to date interest shall be released to the Respondent/Claimant in accordance with scheme, as is set out in the Impugned Award.

10. List before the concerned Registrar for completion of service on 03.12.2025.

11. The Registry is directed to place on record the digital copy of the Trial Court Record duly paginated and bookmarked in accordance with the rules of the High Court.

12. The parties will act based on the digitally signed copy of the order.

**TARA VITASTA GANJU, J**

**SEPTEMBER 23, 2025/ ha**