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

+ **MAC.APP. 565/2024**

SBI GENERAL INSURANCE COMPANY LIMITED.....Appellant

Through: Mr. Sameer Nandwani, Ms. Niyati,
Mr. Shivam Golay, Advocates.

versus

MOHINDER & ORS.

.....Respondents

Through: None

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **28.10.2024**

CM APPL.63521/2024 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The Application stands disposed of.

MAC.APP. 565/2024, CM APPL. 63520/2024 (stay)

3. The Appeal under Section 173 of the Motor Vehicles Act, 1988 has been filed on behalf of the Appellant/Insurance company against the Judgment dated 23.08.2024 to challenge that the quantum of compensation has been granted to the Respondent No. 1/Claimant, for injuries and permanent disability suffered in the road accident.
4. The *grounds of challenge* are:
 - (i) that the permanent disability has been taken as 20% of the whole body, when it was confined to lower right limb.
 - (ii) the salary of the injured has been taken as Rs.25,000/- per month,



which has not been proved by the cogent evidence.

(iii) the income should have been taken in accordance with the minimum wages.

5. **Submissions heard.**

6. On filing of PF/RC by the appellant, Notice of the Appeal as well as the Application be issued to the respondents, through ordinary post and electronic mode, returnable on 03.04.2025.

7. The service of the respondent No. 3/driver is dispensed with as no relief is sought against him.

8. The execution of the impugned Award is hereby stayed subject to deposit of the compensation amount along with upto date interest within six weeks, which shall be kept in an interest bearing FDR, on an auto renewal mode, before the learned Tribunal.

9. E-Trial Court Record be summoned for the above said date.

NEENA BANSAL KRISHNA, J

OCTOBER 28, 2024/RS