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

+ **MAC.APP. 643/2025**

UPSRTC

.....Appellant

Through: Mr. Aly Mirza, Adv.

versus

SH. RAVINDRA KUMAR AND ORS

.....Respondents

Through:

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

% **26.09.2025**

CM APPL. 62188/2025 (exemption)

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

MAC.APP. 643/2025 & CM APPL. 62187/2025 [stay]

3. The present Appeal has been filed on behalf of the Appellant under Section 173 of the Motor Vehicle Act, 1988 impugning the Award dated 11.07.2025 [hereinafter referred to as "Impugned Award"] passed by the learned Presiding Officer, MACT-02, Shahdara, Karkardooma Courts, Delhi. By the Impugned Award, compensation in the sum of Rs.36,55,935/- has been awarded to the Respondent/Claimant along with interest at the rate of 8% per annum.
4. The Appeal has been filed by the owner of the offending vehicle. The learned counsel for the Appellant raises two grounds for challenge, firstly, he submits that the learned Tribunal wrongly awarded minimum wages for



the State of Delhi when, in fact, the deceased was a resident of Uttar Pradesh. In addition, it is contended that the FIR records that the deceased was travelling from his residence in Village Vaidpura, in Gautam Budh Nagar, Uttar Pradesh to Ghaziabad at the time of the accident. The learned counsel further states that the Aadhaar card of the husband and the daughter of the deceased both set out the same address at Village Vaidpura, in Gautam Budh Nagar, Uttar Pradesh. The learned counsel, thus, submits that minimum wages of the State of the Uttar Pradesh were to be awarded and not of Delhi.

5. Secondly, it is contended by the learned counsel for the Appellant that the aspect of contributory negligence has not been examined by the learned Tribunal.

6. Issue notice. On steps being taken, issue notice to the respondents *via* all modes, *dasti* in addition. An affidavit of service be filed within three 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. Subject to the deposit of entire decretal amount inclusive of up-to-date interest within a period of 4 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. Upon deposit by the Appellant, 55% of the deposited amount inclusive of up to date interest shall be released to the Respondents/Claimants in accordance with scheme, as is set out in the



Impugned Award.

10. List on 05.12.2025 before the concerned Registrar for completion of service.
11. The parties shall act based on the digitally signed copy of the order.

TARA VITASTA GANJU, J

SEPTEMBER 26, 2025
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