



\$~51

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

+ **MAC.APP. 571/2024, CM APPL. 64354/2024,**

CM APPL. 64355/2024

SBI GENERAL INSURANCE COMPANY

.....Appellant

Through: Appearance not given.

versus

MEENA DUA @ MEENA KUMARI & ORS.

.....Respondents

Through: None.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **04.11.2024**

CM APPL. 64356/2024 (Seeking Exemption)

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

MAC.APP. 571/2024

3. An Appeal under Section 173 of the Motor Vehicle Act, has been filed on behalf of the Insurance Company against the Order sated 18.07.2024.
4. The grounds of challenge essentially are :
 - (i) that the deceased was a resident of Ghaziabad and his salary should have been calculated on the basis of minimum wages prevalent in U.P;
 - (ii) that the FIR was registered after one month of the accident which creates a doubt about the involvement of the offending vehicle in the



accident; and

(iii) that the eye witness happened to be the neighbour was an interested witness.

5. Notice of the Appeal be served upon respondent No.1/Claimants to taking steps by the Appellant, to be served through ordinary post and electronic mode, returnable on the next date of hearing.

6. Service of driver/owner is dispensed with as no relief is claimed against them.

7. The Appellant to deposit the entire compensation amount along with up to date interest before the Tribunal.

8. E-TCR be summoned for the next date of hearing.

9. List on 03.04.2025.

NEENA BANSAL KRISHNA, J

NOVEMBER 4, 2024/va