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

+ **MAC.APP. 710/2025**

SMT POONAM & ANR.

.....Appellants

Through: Mr. S.N. Parashar and Mr. Ritik
Singh, Advocates

versus

SH NARESH KUMAR & ORS.

.....Respondents

Through: None

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **06.11.2025**

CM APPL. 69145/2025 (Exemption)

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

**MAC.APP. 710/2025 & CM APPL. 69144/2025 (condonation of delay in
filing of the appeal)**

3. Issue notice. Notice be served only on respondent No.3 – HDFC General Insurance Company Limited, through learned counsel who appeared on its behalf before the Motor Accident Claims Tribunal. Since no recovery rights have been granted against respondent No.1 (Driver) or respondent No.2 (Owner) of the vehicle, notice need not be issued to them at this stage.
4. The Trial Court record be summoned, and an electronic copy thereof be placed on the record of this appeal.
5. Mr. S.N. Parashar, learned counsel for the appellants/claimants,



submits that since the deceased was a minor at the time of the accident, the loss of income ought to have been computed on the basis of minimum wages rather than a notional income of Rs.30,000/- per annum.

6. He relies upon the judgment of this Court in *Cholamandalam Ms General Insurance Co. Ltd. v. Bhupan Paswan and Ors.* [MAC.APP. 324/2018; decided on 24.02.2025], wherein the Court considered the deletion of the Second Schedule to the Motor Vehicles Act, 1988, and the consequent judgments of the Supreme Court as well as this Court.

7. List on 25.03.2026.

PRATEEK JALAN, J

NOVEMBER 6, 2025/dy/sd/