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

+ **MAC.APP. 712/2025**

ZURICH KOTAK MAHINDRA GENERAL INS CO LTD

.....Appellant

Through: Mr. Sameer Nandwani and Ms.
Jyaditya Dogra, Advocates.

versus

SMT PARIDHI & ORS.

.....Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **07.11.2025**

CM APPL. 69308/2025 (for exemption)

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

MAC.APP. 712/2025, CM APPL. 69307/2025 (for condonation of 17 days' delay in filing the appeal) & CM APPL. 69306/2025 (for stay)

1. The appellant – Insurance Company assails an award dated 10.07.2025, passed by the Motor Accident Claims Tribunal [“the Tribunal”], by which a sum of Rs. 2,58,645/-, alongwith interest at the rate of 9% per annum, was awarded to respondent No. 1 – claimant. The appellant – Insurance Company was directed to satisfy the award, with liberty to recover from the driver and owner.
2. The principal ground urged by Mr. Sameer Nandwani, learned counsel for the appellant-Insurance Company, is that consequent upon the



amendment of Section 149 (4) of the Motor Vehicles Act, 1988, by the 2019 amendment, such an order of payment and recovery is impermissible.

3. Issue notice. Notice be issued to the respondents by all permissible modes, including through learned counsel who appeared on their behalf before the Tribunal.

4. Subject to the deposit of the awarded amount, alongwith up-to date interest, before the Tribunal, within six weeks from today, the execution of the impugned award shall remain stayed until the next date of hearing.

5. Replies to the condonation of delay application may be filed within 6 weeks from today. Rejoinder thereto, if any, may be filed within 2 weeks thereafter.

6. The Trial Court record be summoned, and electronic copy of the same be placed on the file of this appeal.

7. Written submissions to the appeal may be filed by the parties with reference to the electronic record of the Court, alongwith copies of any relevant judgments which they wish to rely upon, within eight weeks from today, without prejudice to their rights and contentions in the pending application.

8. List before Registrar on 19.12.2025, for completion of service and pleadings.

9. List before Court on 23.03.2026.

PRATEEK JALAN, J

NOVEMBER 7, 2025

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