



\$~8

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

+ **MAC.APP. 685/2024, CM APPL. 76349/2024**

**RELIANCE GENERAL INSURANCE CO LTD. ....Appellant**

Through: Ms. Sabhyata Sharma, Advocate.

Versus

**AJAY VERMA & ANR. ....Respondents**

Through: None.

**CORAM:**

**HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA**

**ORDER**

% **24.12.2024**

**CM APPL. 76350/2024** (Seeking Exemption)

1. Allowed, subject to just exceptions.
2. The applications stands disposed of.

**MAC.APP. 685/2024**

3. An Appeal under Section 173 of the Motor Vehicles Act, 1988 has been filed on behalf of the Insurance Company challenge the compensation in the sum of Rs.30,83,757/- given to the Claimants vide Award dated 30.09.2024, on account of the injuries suffered by the Claimant in a road accident on 29.08.2021.

4. The *grounds of challenge* are that :

- (i) the injured himself was responsible for 50% contributory negligence;
- (ii) that the Income Tax Returns have been taken to calculate the income of the injured without the same being supported with a Certificate under Section 65B of the Indian Evidence Act;



- (iii) that 150% future prospects have been wrongly granted while computing compensation;
  - (iv) the Functional Disability of Respondent No.1 has been erroneously taken as 20%;
  - (v) that the medical bills in the sum of Rs.3,32,057/- have been wrongly granted;
  - (vi) the compensation granted under non-pecuniary heads is excessive; and
  - (vii) that the interest @ 9% per annum is wrongly granted and the penal interest @ 12% per annum in case of default of depositing the amount within one month is excessive and is liable to be revised.
5. Notice of the Appeal be served upon the Respondents on taking steps by the Appellant, to be served through ordinary post and electronic mode, returnable for the next date of hearing.
6. E-TCR be summoned for the next date of hearing.
7. The execution of the impugned Award is hereby stayed subject to deposit of the entire compensation award amount along with upto date interest and the statutory amount, within four weeks, which shall be kept in an interest bearing FDR, on an auto renewal mode, before the Registrar General of this Court.
8. List before learned Joint Registrar on 10.02.2025.

**NEENA BANSAL KRISHNA, J**

**DECEMBER 24, 2024/va**