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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **MAC.APP. 104/2025, CM APPL. 7042-7043/2025 & CM APPL. 21087/2025**

RAJBIR SINGH

.....Appellant

Through: Mr. Varun Sarin, Ms. Parul Dutta &
Ms. Babita Rawat, Advocates.

versus

SHARIQ PARVEZ & ANR.

.....Respondents

Through: Mr. A.K. Soni, Adv. for R-2.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

% **14.05.2025**

CM APPL. 7042/2025 [*Exemption from filing certified/typed copies*]

1. Allowed, subject to the Appellant filing typed copies of the annexures within a period of three weeks.

2. The Application stands disposed of.

CM APPL. 7043/2025 [*Condonation of delay*]

3. This is an Application filed on behalf of the Appellant seeking condonation of delay of 442 days in filing the present Appeal.

4. Learned Counsel for the Appellant seeks and is granted permission to withdraw the present Application in view of the similar Application being filed i.e., CM APPL. 21087/2025.

5. The Application is dismissed as withdrawn.

CM APPL. 21087/2025 [*Condonation of delay*]

6. This is an Application filed on behalf of the Appellant seeking

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condonation of delay of 442 days in filing the present Appeal.

7. It is the case of the Appellant that due to the accident the Appellant suffered 17% fictional disability in relation to his right lower limb and has become incapable to be employed as a sweeper. Learned Counsel for the Appellant submits that in view of his condition, the Appellant was unable to gather the resources to file the present Appeal. It is further submitted that the Appellant was the sole earning member of the family and his inability to work led to financial hardship and due to lack of knowledge of the Appellant of the legal procedures, thus the delay is caused in filing the Appeal. Learned Counsel for the Appellant submits that the delay is neither intentional nor deliberate.

8. For the reasons as stated in the Application and in view of the judgment of the Supreme Court in ***Pathapati Subba Reddy (Died) By L.Rs. & Ors v. Special Deputy Collector (LA)*** 2024 SCC OnLine SC 513, the delay is condoned.

9. The Application stands disposed of.

MAC.APP. 104/2025

10. The present Appeal has been filed on behalf of the Appellant under Section 173 of the Motor Vehicles Act, 1988 against the award and judgment dated 12.07.2023 [hereinafter referred to as “Impugned Award”] passed by learned Presiding Officer, MACT, South-East District, Saket Courts, New Delhi.

10.1 The challenge in the present Appeal is for enhancement of the amount of compensation awarded in the sum of Rs.5,82,844/- along with 9% interest per annum.

11. One of the issues that has been raised by the learned Counsel for the

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Appellant is on the functional disability which is taken at 17% by the learned Trial Court. In addition, it is stated that no future prospects have been granted by the learned Trial Court.

12. Issue Notice.

12.1 Learned Counsel for Respondent No.2 accepts Notice.

12.2 Learned Counsel for the parties submits that service of Respondent No.1 may be dispensed with.

13. 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.

14. The parties shall file their respective written synopsis, not exceeding three pages each, at least three days before the next date of hearing, along with the compilation of judgments, if any, they wish to rely upon.

14.1 All judgments sought to be relied upon shall be filed with an index which also sets out the relevant paragraph numbers and the proposition of law that it sets forth.

15. List on 03.12.2025.

TARA VITASTA GANJU, J

MAY 14, 2025/ ha

[Click here to check corrigendum, if any](#)