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

\+ MAC.APP. 15/2026

MS. ANSHU KASHYAP .....Appellant

Through: Ms. Akshita Harjai, Adv.

versus

IFFCO TOKIO GENERAL INSURANCE CO. LTD. & ORS. .....Respondents

Through:

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

O R D E R

% **09.01.2026**

CM APPL. 1313/2026 (*Exemption*)

1. Exemption allowed, subject to just exceptions.

2. Application stands disposed of, accordingly.

CM APPL. 1311/2026 (*Condonation of delay*)

1. In view of the facts as stated in the said application, the same is allowed.

2. The delay of 11 days in filing the present appeal is condoned.

3. Application stands disposed of, accordingly.

CM APPL. 1312/2026 (*Seeking release of ex parte ad interim amount*)

1. This application has been filed seeking *ex parte* release of *ad interim* sum of *Rs.25 lakhs,* in view of the fact that appellant has remained without pay for a considerable period and has been compelled to incur substantial medical expenses from her own pocket, which were met through borrowing

money from friends and relatives. Owing to the multiple financial liabilities, she has been unable to repay loans.

2. Perusal of the award would show that out of the compensation of *Rs.40,91,841/-* awarded along with interest @ *7.5%* per annum from the date of filing of the claim petition till actual realisation, which was directed to be deposited by the Insurance Company. Out of total award amount, a sum of *Rs.30 lakhs,* along with proportionate interest was directed to be kept in the monthly FDR of *Rs.20,000/-* each. Remaining amount, along with proportionate interest, has been directed to be released in her bank account.

3. Therefore, *Rs.10 lakhs* along with proportionate interest, has already been directed to be released in a bank account.

4. Considering the medical issues faced by the insured-claimant, a further sum of *Rs. 10 lakhs* shall also be disbursed, along with proportionate interest, out of the amount deposited, with accrued interest, to the appellant/claimant.

5. The remaining amount shall continue to be deposited in FDRs of *Rs.20,000/-* each, as already directed by the Motor Accidents Claims Tribunal (***'MACT'***).

6. Application stands disposed of, accordingly.

MAC.APP. 15/2026

1. This appeal has been filed by the injured/claimant assailing the impugned award dated 02nd September 2025 passed in ***MACT No.234/2019*** titled as "***Anshu Kashyap v. Harun & Ors***.

2. *Ms. Akshita Harjai*, counsel for appellant, contends that the impugned award has determined the functional disability of the appellant/claimant at *10%* in calculating the prospect of future earnings, in contrast to the medical

disability of *84%* as per the Disability Certificate issued by the hospital.

3. She states that the appellant/claimant was a teacher and had lost both her legs due to permanent disability in both her lower limbs in the accident, and, therefore, the assessment of functional disability at *10%* was highly disproportionate and unmerited.

4. The Court has perused the Disability Certificate issued by P*andit Madan Mohan Malviya Hospital, Delhi,* certifying the permanent disability at *84%,* as well as the photographs which have been appended along with the appeal.

5. Accordingly, issue notice to the respondent no.1/Insurance Company on steps being taken by the appellant, through all permissible modes, including e-mail.

6. Notices to respondent nos.2 and 3 need not be issued for the time being, considering that they are not contesting parties and the recovery is from respondent no.1.

7. TCR be requisitioned and placed on record of this Court.

8. Copy of the same be provided to the counsels for the parties at their request, by the Registry.

9. List on 27th March 2026.

10. Order be uploaded on the website of this Court.

ANISH DAYAL, J

JANUARY 9, 2026/MK/bp