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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **MAC.APP. 28/2026, CM APPL. 2064/2026, CM APPL. 2065/2026, & CM APPL. 2067/2026.**

UNITED INDIA INSURANCE COMPANY LIMITED.....Appellant

Through: **Ms. Mahhua Kalra, Advocate.**

versus

PRAMOD KUMAR & ORS.Respondent

Through:

**CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL**

ORDER

% **13.01.2026**

CM APPL. 2066/2026 (Exemption)

1. Allowed, subject to all just exceptions.
2. Accordingly, application is disposed of.

MAC.APP. 28/2026, CM APPL. 2064/2026 (stay), CM APPL. 2065/2026, & CM APPL. 2067/2026.

1. This appeal has been filed challenging the award of the Tribunal dated 02nd July 2025, passed in MACT Case no. 238/2020, titled ***Pramod Kumar & Anr. v Ankur Shahrawat & Ors.***
2. As per the impugned award, an accident occurred on 26th January 2019 on *Meerut-Karnal Road, District Muzaffar Nagar, Uttar Pradesh*, which culminated into two claim petitions.
3. The connected claim filed by the pillion rider was also adjudicated by



the judgement dated 02nd July 2025 in MACT no. 239/2020, which had been appealed by insurance company in MAC APPL. 771/2025.

4. *Ms. Mahhua Kalra*, Advocate, appearing for appellant, hands over copy of order dated 01st December 2025 passed in MAC APPL. 771/2025, whereby notice has been issued and directions have been given for part execution of the award. The matter is listed before the court on 23rd April 2026.

5. She submits that a similar order may be passed in the present appeal, wherein she has primarily two objections: *firstly*, as regard territorial jurisdiction, the deceased was neither a resident of Delhi nor earning his livelihood in Delhi, and the accident itself occurred in Uttar Pradesh; and *secondly*, with respect to whether the amount awarded towards consortium should be calculated from the date of the accident or from the date of the award.

6. She further submits that the second issue is pending consideration before the Supreme Court in SLP (C) 27285/2025, titled ***Hasina Yasmin & Ors. v. National Insurance Co. Ltd. & Anr.***

7. In addition to the above, appellant has also raised grounds relating to contributory negligence and recovery rights.

8. Accordingly, issue notice to all respondents on steps being taken by petitioner through all permissible modes including email.

9. Since the amount has already been deposited before the Tribunal in this matter as well, execution of award may proceed to the extent of 75% of the awarded amount in accordance with the direction of the Tribunal and execution of balance 25% shall remain stayed till the next date of hearing.

10. In the meantime, counsel for both sides shall file a brief note of



submissions summarizing their contentions, not exceeding 3 *pages* each along with *list of citations* they wish to rely upon along with reference to *pdf pages* of court file and list of citations they wish to rely upon. Same shall be filed within 2 weeks from today after exchanging copies *inter se* counsels.

11. List before the Joint Registrar on 20th February 2026.
12. List before the Court on 23rd April 2026 along with MAC APPL 771/2025.
13. Order be uploaded on the website of this Court.

ANISH DAYAL, J

JANUARY 13, 2026/RK/zb