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

+ **MAC.APP. 93/2026**

**SARITA DEVI**

.....Appellant

Through: Mr. Varun Sarin, Advocate with Ms.  
Parul Dutta, Advocate.

versus

**VINAY KUMAR & ORS.**

.....Respondents

Through:

**CORAM:**

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

**ORDER**

% **02.02.2026**

**CM. APPL. 6763/2026 (Exemption)**

1. Allowed, subject to all just exceptions.
2. Application is accordingly disposed of.

**CM. APPL. 6764/2026 (condonation of delay)**

1. For the reasons stated in the application, delay of 139 days in filing the appeal, is condoned.
2. Application stands disposed of.

**MAC.APP. 93/2026**

1. This appeal has been filed seeking enhancement of compensation granted by the impugned judgment dated 09<sup>th</sup> May 2025 passed by MACT, South-East District, Saket Courts in MACT Petition No. 366/2023.



2. *Mr. Varun Sarin*, counsel for appellant-injured, states that appellant, a Head Constable with Delhi Police, suffered injuries in a road accident on 15<sup>th</sup> December 2022 at 12:15 a.m. on Canal Road while riding a scooty to join her night duty. A garbage dumper, driven rashly and negligently, hit the appellant, causing serious injuries and permanent disability on left lower limb, which was later certified as 20%.
3. The MACT awarded a compensation of Rs. 4,77,292/-; however, no amount was awarded towards *loss of future income*. He, therefore, contends that even though claimant is continuing in service at the existing salary, there will be *loss of future prospects* in terms of promotional avenues in Delhi Police.
4. Further, even post-retirement, there will be loss of earning capacity and loss of employability on account of disability, which ought to have been accounted for.
5. He relies on decision of ***IFFCO Tokio General Insurance Co. Ltd v. Anand Kumar & Anr*** 2016:DHC:2101, where some aspects have been considered.
6. Further issue which has been contended by *Mr. Sarin* relates to the basic income, which has been considered as Rs. 47,334/- instead of Rs.65,708/-, along with other grounds that he raised in the appeal.
7. Issue notice to the respondents on steps being taken by appellant through all permissible modes, including e-mail.
8. Trial Court Record be also requisitioned and placed on record. Digital copy of the same be supplied to the counsels for the parties, if so requested.
9. Counsels for parties will file their respective note of arguments not exceeding *three pages*, synthesizing their contentions along with *list of*



*citations*, which they wish to rely upon, cross-referencing *PDF pages* of the Court File. The same will be exchanged *inter se* counsels *at least three days* prior to the next date of hearing.

10. In the meantime, compliance of impugned award, be done in accordance with directions.

11. List before the Joint Registrar 03<sup>rd</sup> March 2026.

12. List before the Court on 06<sup>th</sup> July 2026.

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

**ANISH DAYAL, J**

**FEBRUARY 2, 2026/RK**