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

+ **MAC.APP. 218/2025**

INDER PAL

.....Appellant

Through: Mr. Shashi Shanker and Ms. Apoorva
Mishra, Advs.

versus

**NAFISA (SINCE DECEASED) THROUGH L.RS MD. ISLAM &
ORS.**

.....Respondent

Through: Mr. Gaurav Jha, Adv.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

07.07.2026

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CM APPL. 41339/2026 (Seeking modification)

1. This application has been filed by the appellant seeking modification of order dated 02nd April 2025, whereby appellant was directed to deposit the entire awarded amount.
2. The aforesaid plea has been made on the ground that the appellant is a person of limited means, and due to his precarious financial condition, he is unable to arrange the entire awarded amount despite making sincere efforts to do so.
3. Moreover, *Mr. Shashi Shanker*, counsel for appellant, has pointed to *paragraph 5* of his application, wherein various issues, highlighting several material infirmities going to the root of the matter, including identification of the offending vehicle, have been listed.
4. The Court notes that even in the impugned award dated 1st December 2023, the testimonies of **PW-1** and **PW-2**, who were sons of the deceased



were noted. However, it was also noted that, in their cross-examinations, they were not eyewitnesses, and did not provide any basis for identification of the offending vehicle.

5. As regards the reliance on the chargesheet filed against appellant, it is noted that appellant stands acquitted in the said criminal proceedings.

6. *Prima facie* there exists a serious issue regarding identification of the offending vehicle.

7. In the meantime, no further coercive steps be taken in the execution proceedings, if any, filed by any of the respondents, till the next date of hearing.

8. Accordingly, issue notice to the respondents.

9. *Mr. Gaurav Jha*, counsel for respondent nos.1 and 2, accepts notice.

10. *Mr. Shashi Shanker*, counsel for appellant, shall take steps to serve the other respondents.

11. As far as respondent no. 13 is concerned, it has already been directed *vide* order dated 23rd April 2026, that their presence is not necessary.

12. List before the Joint Registrar (Judicial) on 13th August 2026, the date already fixed.

13. List before the Court on 03rd December 2026.

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

ANISH DAYAL, J

JULY 7, 2026/MK/ya