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

+ **MAC.APP. 581/2018**

HARYANA ROADWAYS, KARNAL DEPOT, HARYANA

..... Appellant

Through: Ms. Manisha Agrawal Narain,
Advocate

versus

THE NEW INDIA ASSURANCE COMPANY & ORS.

..... Respondents

Through: Mr. Pankaj Seth, Advocate

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

% **03.07.2018**

C.M.25750/2018

There is delay of 86 days in filing the accompanying appeal.

Notice.

Mr. Pankaj Seth, Advocate accepts notice on behalf of respondent
No.1-Insurer.

Learned counsel for appellant submits that no relief is claimed
against remaining respondents. As such, notice to these respondents is
dispensed with.

Service is complete.

Upon hearing, I find that the averments made in the instant
application provide sufficient cause to condone the delay occasioned. The
application is allowed and the delay stands condoned.

The application is disposed of.



MAC.APP. 581/2018 & CM 25749/2018 (stay)

Notice.

Mr. Pankaj Seth, Advocate accepts notice on behalf of respondent No.1-Insurer.

Learned counsel for appellant submits that no relief is claimed against remaining respondents. As such, notice to these respondents is dispensed with.

Service is complete.

In this appeal, grant of recovery rights against appellant-owner is assailed on the ground that the driver of insured vehicle was possessing a Learner's Heavy Motor Vehicles Driving Licence and presses for interim relief.

Heard.

As an interim measure, subject to appellant depositing the entire awarded amount with interest with learned Tribunal within four weeks from today, operation of the impugned Award shall remain stayed *qua* appellant. It is made clear that if the aforesaid deposit is not made within the stipulated time, then the interim order shall not operate.

List on 5th September, 2018.

Records be requisitioned.

Dasti.

SUNIL GAUR, J

JULY 03, 2018

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