



2024-DHC-1549

\$~14

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **MAC.APP. 1018/2014**

UNITED INDIA INSURANCE CO LTDAppellant

Through: Mr. Sankar N. Sinha, Adv.

versus

SARFARAZ SAFI AND ORSRespondents

Through: Mr. Punishk Handa, Adv. for R-1.

Ms. Manisha Tyagi, Adv. for R-2 & 3

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

%

18.09.2025

1. Learned Counsel for Respondent No. 1 submits that the previous Counsel, who was appearing in the matter, is hospitalised and thus, he was engaged only last evening. He further submits that the Trial Court record is not book marked.
2. Learned Counsel for the Appellant submits that his challenge is based on the judgment passed by the Supreme Court in *National Insurance Company Ltd. v. Pranay Sethi & Ors.; (2017) 16 SCC 680*. The record reflects however, that the Impugned Award was passed prior to the judgment in *Pranay Sethi* case being pronounced and based on the judgment of the Supreme Court in *Sarla Verma & Ors. v. DTC & Anr; (2009) 6 SCC 121*, thus the only issue that arises in the present Appeal is whether at the Appellate stage, this Court can reduce the compensation awarded based on a change in law after the Impugned Award has been passed.
3. The parties are at liberty to file their short note of contentions on this aspect of the matter, not exceeding three pages each, at least three days



before the next date of hearing, along with the compilation of judgments, if any, they wish to rely upon. All judgments sought to be relied upon shall be filed with an index which also sets out the relevant paragraph numbers and the proposition of law that it sets forth.

4. The Registry is directed to book-mark the digital copy of the Trial Court Record received in accordance with the rules of the High Court.
5. List on 15.10.2025.
6. The parties will act based on the digitally signed copy of the order.

TARA VITASTA GANJU, J

SEPTEMBER 18, 2025/r