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

Decided on: 6th July, 2017

+ MAC.APP. 243/2017 and CM APPL.9739/2017, 9740/2017

THE ORIENTAL INSURANCE CO LTD Appellant

Through: Mr. A.K. Soni, Advocate

versus

ARIF & ORS

..... Respondents

Through: Mr. Yogesh Kumar Sharma,
Advocate for R-1.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

JUDGMENT (ORAL)

1. The quantum of compensation awarded for death of Shahzad, a child aged eleven years, in a motor vehicular accident that occurred on 29.10.2013, by the Motor Accident Claims Tribunal (the tribunal) in an accident claim case (MACT No.3496/2016), by judgment dated 30.11.2016, is challenged by the present appeal by the appellant insurance company of the offending vehicle which has been burdened with the liability to pay primarily on the ground that it is excessive, exorbitant and unjust.

2. On perusal it is found that the Tribunal has proceeded to calculate the compensation payable in terms of directions of this court in *Chetan Malhotra & Ors. vs. Lala Ram & Ors.*, MAC APP.554/2010, decided on 13.05.2016.

3. The learned counsel for the appellant could not point out any error in calculation vis-à-vis the directions in the above said judgment.

4. In above view, the appeal is devoid of substance and is dismissed.

5. The amount deposited in terms of order dated 16.03.2017 shall now be released to the claimants.

6. The statutory amount shall be refunded to the appellant.

JULY 06, 2017

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R.K.GAUBA, J.



नित्यमेव जयते