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

+ **MAC.APP. 701/2017 and CM Nos.28434-28436/2017**

ASHAGAR ALI Appellant

Through: Mr. Varun Sarin, Advocate

versus

PUSHPENDER SINGH AND ANR Respondents

Through: Ms. Rekha Giri for Ms. Shweta Kapoor,
Adv. for R-2/UPSRTC

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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09.08.2017

The appellant was the claimant before the Tribunal in MACT 4355/2016 to seek compensation for injuries suffered in a motor vehicular accident that occurred on 19.09.2014, which resulted in the award being passed on 20.02.2017. It is his contention that after the said award had been passed, the Medical board of Safdarjung Hospital issued its opinion on 09.03.2017 certifying that he suffers from disability to the extent of 25% in relation to right lower limb. It is his submission that the consequent loss of future income due to disability has not been covered by the dispensation through the impugned judgment.

The counsel after some hearing submitted, on instructions, that he may be allowed to withdraw the present appeal though with liberty to move the Tribunal with a review petition to seek enhancement on

the basis of the subsequent developments as noted above.

The appeal and the pending applications are dismissed as withdrawn with liberty as prayed.

Dasti.

R.K.GAUBA, J

AUGUST 09, 2017

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MAC.APP. 701/2017

page 2 of 2