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

Decided on: 7th September, 2017

+ **MAC.APP. 671/2017 and CM APPL.27538/2017 (stay)**

**UTTAR PRADESH STATE ROAD TRANSPORT
CORPORATION** Appellant

Through: Mr. Shadab Khan, Advocate for
Ms. Garima Prashad, Advocate

versus

RAM ABHILAKH & ANR Respondents

Through: Mr. Vipin Kumar Mishra,
Advocate for R-1.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

JUDGMENT (ORAL)

1. On the claim case (MACT No.81/2014) instituted on 03.06.2014 by the first respondent, the Tribunal, by judgment dated 29.05.2017, awarded compensation in the total sum of Rs.3,56,900/-, fastening the liability on the appellant to pay, it being the owner of the vehicle which statedly had caused the accident.

2. The appellant questions the above said award on the ground that the judgment of the Tribunal does not reveal the reasons impelling it to take the view it reached for determining the compensation under various heads, particularly on account of loss of income during treatment, conveyance, special diet and attendant charges.

3. The learned counsel for the first respondent fairly concedes that the Tribunal should have given proper reasons for determining the compensation and since the same are amiss, his request being that while appeal may be allowed, the matter may be remitted to the Tribunal for fresh adjudication.
4. The appeal is allowed accordingly.
5. The impugned judgment is set aside. The matter is remitted to the tribunal for passing a fresh reasoned judgment, uninfluenced by the view taken in the judgment which was impugned by the appeal at hand.
6. The parties shall appear before the tribunal on 16th October, 2017.
7. The statutory amount shall be refunded.
8. The appeal along with accompanying application stands disposed of in above terms.
9. *Dasti.*

SEPTEMBER 07, 2017

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R.K.GAUBA, J.