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

+ MAC.APP. 865/2017 & CM No. 35139-40/2017

PUSHPA PANT & ORS

..... Appellants

Through:

versus

M/S ORIENTAL INSURANCE CO LTD & ORS..... Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

% **27.04.2018**

1. The appellants have challenged the award dated 26th July, 2014 of the Claims Tribunal whereby the compensation of Rs.3,52,700/- has been awarded to the appellants.
2. On 26th May, 2010, Tribhuwan Chand and Beena were travelling in Tata Tempo bearing No. DL-1LG-7938 while going from Delhi to Haridwar along with goods for the purpose of holding a *Bhandara*. The aforesaid vehicle met with an accident near Jatholi Gate, Meerut bypass on 27th May, 2010 at about 01:30 AM which resulted in the death of Tribhuwan Chand and Beena. The legal representatives of both the deceased persons filed two separate claim petitions for claiming compensation against driver, owner and insurance company of Tata Tempo.
3. The respondent No.2 (owner of the offending vehicle) filed an appeal against the impugned award in this court. This court, vide order dated 13th December, 2017 in MAC.APP. 939/2014, set aside the impugned award dated 26th July, 2014 and the matter was remanded back to the Claims Tribunal for leading of additional evidence by the parties, including the

claimants. The parties were directed to appear before the Claims Tribunal on 17th January, 2018.

4. This appeal is disposed of in terms of the order dated 13th December, 2017 in MAC.APP. 939/2014.

5. Pending applications disposed of.

6. Copy of this order be given *dasti* to counsels for the parties under the signatures of the court master.

J.R. MIDHA, J.

APRIL 27, 2018

Dsn/Ak/Dk