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

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Decided on: 16.10.2019

+ MAC.APP. 1165/2018

ORIENTAL INSURANCE CO LTD

..... Appellant

Through: Mr. R.K. Tripathi, Advocate.

versus

LOKESH & ORS

..... Respondents

Through: Mr. Peeush Sharma and Mr. Bharvi
Thakur, Advocates for R-1 & R-2.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

NAJMI WAZIRI, J (Oral)

CM APPL. 45449/2019, CM APPL. 45448/2019 (delay in filing cross objections) & CM APPL. 45450/2019 (cross objections by R-1 & R-2)

1. After some arguments, the learned counsel for the applicant seeks to withdraw the applications.

2. The applications are dismissed as withdrawn.

MAC.APP. 1165/2018, CM APPL. 54529/2018 & CM APPL. 19596/2019

3. The appellant impugns the award of compensation dated 26.10.2018 passed by the learned MACT in MACP No. 2152/16, on the ground that an amount equal to the pecuniary compensation has been awarded under non-pecuniary head as well. The Court would note that the impugned order has referred to the dicta of this Court in *Chetan Malhotra v. Lala Ram* dated

13.05.2016 in MAC No. 554/2010 and the principle laid down in ***R.K.Malik and Anr. v. Kiran Pal and Others*** (2009) 14 SCC 1.

4. In view of the above, no error is found in the impugned order. The appeal is without merit and is, accordingly, dismissed.

5. The awarded amount be released to the beneficiaries of the Award, in terms of the scheme of disbursement as specified in the Award.

6. The statutory amount, alongwith interest accrued thereon, be deposited into the 'AASRA' Fund opened by this Court.

OCTOBER 16, 2019

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NAJMI WAZIRI, J



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