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

+ **MAC.APP. 440/2013**

NATIONAL INSURANCE CO LTDAppellant

Through: None.

versus

ASIT KUMAR & ORS

.....Respondents

Through: Mr. Abhiesumat Gupta, Adv.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

% **03.04.2025**

**CM APPL. 18078/2025 –FOR DIRECTIONS TO SBI TO
RELEASE BALANCE AMOUNT in MAC.APP. 440/2013
(Disposed off case)**

1. This application is moved on behalf of the applicant/respondent No. 1 seeking release of the balance amount of compensation which has been awarded to him by this Court.
2. No one is present for the non-applicant/appellant/Insurance Company despite sending advance notice.
3. As submitted by learned counsel for the applicant/respondent No. 1, this Court *vide* order dated 29.04.2024, dismissed the appeal preferred by the non-applicant/appellant under Section 173 of the Motor Vehicles Act, 1988; and in final analysis, the amount of compensation was enhanced and the applicant/respondent No. 1 was awarded total compensation of Rs.33,12,000/- with interest @ 7.5% p.a. from the date of filing of petition till its realization.
4. It was also directed that the amount of compensation be disbursed to the applicant/respondent No. 1 in terms of the directions issued by the learned Tribunal while passing the impugned judgment



dated 19.02.2013, which was assailed by the non-applicant/appellant/Insurance Company.

5. Learned counsel for the applicant/respondent No. 1 submits that his client is about 69 years of age and he has already received a sum of Rs.21,69,742/-, which amounts to 40% of the awarded amount up till date.

6. It is also pointed out that the applicant/respondent No. 1 is a permanent disabled person to the extent of 89% and he requires the remaining amount of compensation for his self-employment and for meeting other day to day medical expenses.

7. In the interest of justice, the present application is allowed.

8. The previous order dated 29.04.2024 is hereby modified.

9. Let the entire balance amount of compensation be released to the applicant/respondent No. 1 forthwith with appropriate interest.

10. The application is disposed of accordingly.

DHARMESH SHARMA, J.

APRIL 03, 2025/gunn/Sa