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

+ CM(M) 103/2025&CM APPL. 3191/2025

MAHESH CHAND

.....Petitioner

Through: Mr. Ashish Sharma,
Advocate (Through V.C.).

versus

SHRAVAN KUMAR & ORS.

.....Respondents

Through: Mr. Sameer Nandwani &
Mr. Kumar Abhishek,
Advocates for Respondent
No.5/HDFC ERGO
General Insurance Co. Ltd.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

20.01.2025

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1. The present petition is filed challenging the order dated 06.11.2024 passed by the learned Presiding Officer, Motor Accident Claims Tribunal ('MACT'), Shahdara, Karkardooma Courts, Delhi, pursuant to which an application filed by the petitioner seeking release of ₹5,00,000/- out of the total compensation amount kept in FDR, was dismissed.

2. It is undisputed that the petitioner got injured on 07.03.2017 and suffered 67% permanent disability. The learned Tribunal by award dated 26.04.2024 awarded a total compensation for a sum of ₹10,82,520/- alongwith interest in favour of the petitioner. The amount was, however, directed to be kept in an FDR for some time.

3. On being asked, the learned counsel for Respondent No.5/HDFC ERGO General Insurance Co. Ltd. states that the



order dated 26.04.2024 has not been challenged and has attained finality.

4. The petitioner, in such circumstances, is entitled for the entire amount and there is no impediment on the petitioner claiming the compensation amount. The amount is also not required to be secured for the purpose of pending appeal or any other proceedings.

5. In view of the above, the entire compensation amount alongwith accrued interest is directed to be released in favour of the petitioner.

6. The petition is allowed in the aforesaid terms.

AMIT MAHAJAN, J

JANUARY 20, 2025

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