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

+ **MAC.APP. 772/2019**

SONU RAI @ SONU RAYAppellant

Through: Mr. R.S. Rai, Advocate

versus

RAM DUTT & ORS (IFFCO TOKIO GENERAL

INSURANCE CO LTD)Respondents

Through: Mr. Parmod Kumar Singhal and
Mr. Rahil Singhal, Advocates for
R-1 and 2 (VC)

Mr. A.K. Soni, Advocate for R-
3/Insurance company (VC)

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **27.11.2025**

1. By way of this appeal, the appellant, who was the claimant before the Motor Accident Claims Tribunal [“the Tribunal”], seeks enhancement of the compensation awarded to him, by an award dated 25.01.2019 in MACT No. 56499/2016, titled “*Sonu Rai @ Sonu Ray v. Ram Dutt & Ors.*”.

2. Mr. R.S. Rai, learned counsel for the appellant, submits that the appellant sustained severe head injuries in the accident. Although the Tribunal awarded a sum of approximately Rs. 16,00,000/-, on the appellant’s claim for reimbursement of medical expenses, Mr. Rai submits that the appellant has continued to incur medical expenses after the date of the award, and his treatment remains ongoing.

3. By order dated 13.03.2023, the Court permitted the appellant to place on record the latest medical documents alongwith an affidavit, demonstrating the continuation of his medical treatment. Certain documents, including medical records and bills, which were not before

MAC.APP. 772/2019

Page 1 of 2



the Tribunal, have been placed on record *albeit* without a supporting affidavit. These documents, while *prima facie* indicating that the appellant is undergoing medical treatment, do not, by themselves, establish the nature of the treatment or its direct connection with the accident.

4. Mr. Rai submits that, in addition to future medical expenses, the appellant also seeks enhancement of compensation under the non-pecuniary heads of damages.

5. Mr. A.K. Soni, learned counsel for respondent No.3 – IFFCO TOKIO General Insurance Company Limited [“the Insurance Company”], submits that any claim for future medical expenses must be substantiated by examination of appropriate evidence before the Tribunal.

6. In view of the fact that no evidence was placed before the Tribunal, with regard to the appellant’s claim relating to future medical expenses, the matter is remanded to the Tribunal to re-assess the quantum of compensation, both for future medical expenses as well as non-pecuniary heads of compensation. The parties are permitted to adduce evidence on these aspects, which may be decided in accordance with law.

7. It is noted that the Insurance Company has already deposited the compensation awarded under the impugned order, which has been released to the claimant in accordance with the directions of the Tribunal.

8. In view of the above, the parties are directed to appear before the Tribunal on 15.12.2025.

9. Accordingly, the present appeal stands disposed of.

PRATEEK JALAN, J

NOVEMBER 27, 2025/dy/SD/