

IN THE HIGH COURT OF DELHI AT NEW DELHI

MAC.APP. 405/2009

DATE OF DECISION : **AUGUST 26, 2009**

RELIANCE GENERAL INSURANCE CO. LTD. Appellant
Through : Mr. Sameer Nandwani, Adv.

versus

RACHAN DEVI & ORS. Respondents
Through : None.

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

MAC.APP. No.405/2009 and CM Nos.11954-55/2009

1. Issue notice to claimants/respondent Nos.1 to 4 by ordinary process as well as registered AD post returnable on 14th October, 2009.
2. The LCR be requisitioned before the next date of hearing.

3. Subject to deposit of the entire award amount along with interest by the appellant with the UCO Bank A/c Rachna Devi, Delhi High Court Branch within 30 days, the execution of the impugned award shall remain stayed.

4. The order with respect to the disbursement of the award amount shall be passed on the next date of hearing after hearing the claimants.

5. If the steps for service of the respondents are not taken by the appellant within one week or if the process fee is filed but is returned under objections and the objections are not removed within three days, the Registry shall issue Court notice to the respondents by ordinary process as well as Registered AD and in that event, the appellant shall deposit cost of Rs.5,000/- for the default in taking steps before the next date of hearing and the appeal shall be heard subject to the said cost. If the appellant fails

to deposit the cost before the next date of hearing, the same shall be deducted out of the statutory amount deposited along with the appeal.

6. The cost of Rs.5,000/- shall be retained by the Registrar (Appeals) under separate head of Motor Accident Appeals and the expenses for issuing the Court notices shall be met out of the same.

The remaining amount shall be retained by the Registrar (Appellate) to meet the expenditure incurred for obtaining the opinion of the doctors/hospital in respect of poor claimants who have suffered grievous injury/permanent disability in the road accidents and this Court deems necessary to obtain the expert opinion to compute the compensation and the injured is unable to bear the expenses of the expert.

7. Copy of this order be given 'Dasti' to learned counsel for the appellant under the signature of Court Master.

8. Copy of this order be also sent to Mr. M.M. Tandon, Member-Retail Team, UCO Bank Zonal, Parliament Street, New Delhi (Mobile No. 09310356400) through the UCO Bank, High Court Branch under the signature of Court Master.

J.R. MIDHA, J

AUGUST 26, 2009