

ITEM NO.19

COURT NO.12

SECTION XIV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 30751/2024

(Arising out of impugned final judgment and order dated 22-03-2024 in MACAPP No. 373/2023 passed by the High Court Of Delhi At New Delhi)

PRADEEP KUMAR**Petitioner(s)****VERSUS****MASTER ANKIT & ANR.****Respondent(s)**

(IA No.159524/2024-CONDONATION OF DELAY IN FILING and IA No.159526/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.159531/2024-EXEMPTION FROM FILING O.T.)

Date : 13-08-2024 This petition was called on for hearing today.

**CORAM : HON'BLE MR. JUSTICE C.T. RAVIKUMAR
HON'BLE MR. JUSTICE SANJAY KAROL**

**For Petitioner(s) Mr. Amit Gaurav Singh, AOR
Mr. Sugam Mishra, Adv.
Mr. Jayant Tripathi, Adv.
Ms. Rukhsaar Saifi, Adv.
Mr. Lokesh Chopra, Adv.**

For Respondent(s)

**UPON hearing the counsel the Court made the following
O R D E R**

Delay condoned.

Issue notice, returnable in four weeks.

Heard learned counsel appearing for the petitioner.

The submissions of the learned counsel for the petitioner would reveal the existence of a question of seminal importance in the case on hand as to whether an appeal under Section 173 of the Motor Vehicles Act, 1988 could be entertained on deposit of Rs.25,000/- (Rupees Twenty Five Thousand Only) or 50% of the amount

awarded, whichever is less and whether the Courts could insist for deposit of amount which is higher than the statutory prescribed amount as a condition precedent for entertaining such an appeal?

In view of the involvement of the said question, notice be served on the learned Attorney General for India, since the provision under a Central enactment is the question.

In the meanwhile, there will be an interim stay of the operation and implementation of the impugned order dated 22.03.2024 passed by the High Court of Delhi in MAC App. 373 of 2023, till the next date of listing.

(VARSHA MENDIRATTA)
COURT MASTER (SH)

(MATHEW ABRAHAM)
COURT MASTER (NSH)