



2025:DHC:7505



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

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***Date of Decision: 27.08.2025***+ **CM(M) 1630/2025**

LAL SINGH

.....Petitioner

Through: Mr. Manish Maini and Ms. Aastha  
Chauhan, Advs.

versus

ICICI LOMBARD GENERAL INSURANCE COMPANY  
LTD & ORS

.....Respondents

Through: Mr. Virender Prabhakar, Adv.

**CORAM:****HON'BLE MS. JUSTICE TARA VITASTA GANJU****TARA VITASTA GANJU, J.: (Oral)****CM APPL. 53335/2025/Exemption from filing certified copies**

1. Allowed, subject to just exceptions.
2. The Application stands disposed of.

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3. The present Petition has been filed under Article 227 of the Constitution of India, 1950 impugning the order dated 03.06.2025 passed by the learned Presiding Officer, MACT-01, Shahdara, Karkardooma, Delhi [hereinafter referred to as "Impugned Order"]. By the Impugned Order, the Application filed by the Petitioner for release of the amount in the sum of Rs. 15,00,000/- has been dismissed.

4. Briefly the facts are that an award dated 26.10.2024 was passed in MACT No. 328/2023 captioned *Lal Singh v. Ajay & Ors.* [hereinafter referred to as "Impugned Award"]. The Impugned Award was based on a



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mutual settlement wherein the claim of the Petitioner was settled in the sum of Rs. 26,00,000/-. By an order dated 02.12.2024, the learned Tribunal had directed the release of an amount in the sum of Rs. 4,00,000/- to the Petitioner of the total awarded amount. Thereafter, the Petitioner filed an Application dated 28.03.2025 stating that he is in urgent need of funds on two grounds. Firstly, for repayment of a loan of Rs. 5,00,000/- taken by the Petitioner from his friend towards the education of the deceased son and the Petitioner is not able to repay the said loan amount. The second ground in the Application was that the Petitioner had no sufficient place to live in his property and there is an old construction in a deteriorated condition, therefore, the Petitioner wants to reconstruct his property and he needs an amount in the sum of Rs. 10,00,000/- to re-construct the property.

5. The learned Tribunal by its order dated 15.05.2025, had directed the Petitioner to file the proof of ownership of the property which the Petitioner wishes to re-construct along with latest photographs and a copy of this bank passbook.

6. The record reflects that this was done by the Petitioner. The learned Tribunal by the Impugned Order held that what was filed by the Petitioner was the photograph of some vacant land. The learned Tribunal then queried the Petitioner on the land, as well as on the fact that the Application did not contain an averment that he wishes to construct on vacant land and thus, the learned Tribunal held that the veracity of the contents of the Application could not be proved and dismissed the Application.

7. Learned Counsel for the Petitioner has contended that the learned Tribunal has taken a very technical view in the matter. He submits that what the Petitioner required was only a roof over his head.



8. The submission of the learned Counsel for the Petitioner is not borne from the record. In addition, the Application filed before the learned Trial Court was not filed along with the Petition. A hard copy of the Application has been provided to the Court by the learned Counsel for the Petitioner. A perusal of the Application shows that the reasons stated therein for the requirement of funds were to repay a loan of Rs. 5,00,000/- and to reconstruct the property for which Rs. 10,00,000/- is required. The relevant extract of the Application is set out below:

*“4. That the claimant is in dire need of Rs. 15 lacs to fulfil their requirement as the claimant **had taken the loan of Rs. 5 lacs from his friend for his treatment and also for the study of his deceased son and the claimant is not** able to repay the said loan amount due to his illness as well as death of his deceased son.*

*It is submitted that the claimant **has no sufficient space to live in his property along with his family,** consisting with his two sons, out of them, one is married and another one is bachelor and **there is old construction of his property and the said property is in deteriorated condition and therefore, the applicant/claimant wants to reconstruct his property** so as to live him and his family properly and therefore, he needs a sum of Rs. 10 lacs to reconstruct his property.”*

[Emphasis supplied]

9. After some arguments, learned Counsel for the Petitioner submits that the requirement of the Petitioner between the date of filing of the Application which was 28.03.2025 and the date of photograph was 05.05.2025 had changed. However, it is not disputed by the learned Counsel for the Petitioner submits that this was not brought to the notice of the learned Tribunal.

10. Given what is stated in the Application, this Court finds no infirmity with the Impugned Order. The Petition is accordingly dismissed. However, the liberty is granted to the Petitioner to make an appropriate Application in accordance with law if there are any changed circumstances.



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11. The parties will act based on the digitally signed copy of the order.

**AUGUST 27, 2025/r**

**TARA VITASTA GANJU, J**