



HIGH COURT OF CHHATTISGARH AT BILASPUR

MAC No. 188 of 2025

NATIONAL INSURANCE COMPANY LIMITED **versus** SMT. KUWARIYA BAI
SAHU and another

Order Sheet

23.09.2025	Mr. Dashrath Gupta, counsel for the appellant. Registry is directed to reflect name of Mr. Shikhar Sharma, Advocate for claimants, who has filed cross-objection. Heard on I.A. No. 02 of 2025, an application for permission to bring the legal heirs/representatives of respondent No. 2 Budheshwar Sahu on record. Learned counsel for the appellant would submit that during the pendency of this appeal, respondent No. 2, namely, Budheswar Sahu died and right to sue survives through his legal representatives. He would pray to allow this application. On due consideration, I.A. No. 02 of 2025 is hereby allowed. Mr. Gupta is permitted to carry out necessary amendment within a

period of one week.

Also, heard on I.A. No. 1 of 2025, an application for staying the execution proceedings.

Mr. Gupta would submit that the motor bike was being driven by the deceased, whereas, it was registered in the name of Bhudheshwar Sahu, son of the petitioner; therefore, the learned Tribunal committed an error of law while fastening liability with the Insurance company.

Considering the submissions made by Mr. Gupta, if the Insurance company deposits 50% of award amount within a period of 60 days before the concerned Claims Tribunal, remaining part of the award shall remain stayed till the next date of hearing.

Issue notice to legal representatives of respondent No. 2, P.F. as per rules.

Call this matter thereafter.

**Sd/-
(Rakesh Mohan Pandey)
Judge**