



HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

Miscellaneous Appeal (C) No.227 of 2019Branch Manager, Cholamandalam General Insurance Company **Versus** Smt. Dorothispa Toppo

09/09/2019	Shri D. L. Dewangan, counsel for the Appellant. Shri Govind Dewangan, counsel for Respondent No.1. Shri Shakti Singh Thakur, counsel for Respondent Nos.2 &3. Heard on I.A. No.3/2019, an application for exemption from filing the certified copy of the order passed under Section 170 of the Motor Vehicles Act, 1988 (for short the Act of 1988). On due consideration and in view of the principles laid down in the matter of United India Insurance Co. Ltd. Vs. Shila Dutta reported in 2011 ACJ 2729 (SC) followed in 2014 ACJ 2396 in the matter of Bajaj Allianz General Insurance Co. Ltd. Vs. Kamla Sen and others, I am inclined to allow the same and appellant is exempted from filing the certified copy of the order passed under Section 170 of the Motor Vehicles Act, 1988. I.A. No.3/2019, thus, stands disposed of. Heard on I.A. No.4/2019, an application for condonation of delay of 84 days in filing the cross appeal preferred by Respondent No.1/Claimant under Order 41 Rule 22 of the Code of Civil Procedure, 1908. No reply has been filed to the said application. On due consideration and for the reasons assigned therein, I am inclined to allow the same. Accordingly, the said application is allowed



and the delay of 84 days in filing the cross appeal is hereby condoned. **2022-03-14791**

I.A. No.4/2019, thus, stands disposed of.

Also heard on cross appeal on admission.

On due consideration, the cross appeal is admitted for hearing.

No notice is required to be issued to the Respondents, as all the Respondents have already made their appearances through their counsels.

At this stage, Shri Dewangan prays for listing of this matter along with MAC No.179/2019, as the same has been arising out of the same accident.

Post this matter after four weeks along with MAC No.179/2019.

Sd/-
(**Sanjay Agrawal**)
Judge