



2026:CGHC:14791

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

M.A (C) No.168 of 2019

Branch Manager, Choramandalam General Insurance Company 2nd Floor Simaran Tower, In Front Of L I C Building, Pandri Raipur, District : Raipur, Chhattisgarh

---- Appellant**Versus**

1. Smt. Pushpa Kujur W/o Late Alok Kujur Aged About 38 Years R/o Fundurdihari, Bichpara, Ward No. 8, P.S. Gandhinagar, Ambikapur, District Sarguja, Chhattisgarh (Claimant)
2. Abhijit Kujur S/o Late Alok Kujur Aged About 11 Years Minor They Are Through Their Mother Smt. Pushpa Kujur W/o Late Alok Kujur, R/o Fundurdihari, Bichpara, Ward No. 8, P.S. Gandhinagar, Ambikapur, District Sarguja, Chhattisgarh (Claimant)
3. Pranay Kujur S/o Late Alok Kujur Aged About 8 Years Minor They Are Through Their Mother Smt. Pushpa Kujur W/o Late Alok Kujur, R/o Fundurdihari, Bichpara, Ward No. 8, P.S. Gandhinagar, Ambikapur, District Sarguja, Chhattisgarh (Claimant)
4. Sanjay Ekka S/o Biran Ram Ekka Aged About 22 Years R/o Village Sarganva, Police Station And Tahsil Balrampur, District Balrampur, Chhattisgarh
5. Shivchand Verma S/o Arjun Prasad Bunkar Aged About 40 Years R/o In Bake Side Deyari From Gandhinagar, Ambikapur, District Sarguja, Chhattisgarh

---- Respondents

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18.02.2020	Shri GS Patel, counsel for the Appellant. None for Respondents No.1 to 3 & 5, though served through <i>Dasti</i>. Shri Shakti Raj Sinha, counsel for Respondent No.4. Heard on IA No.01/2019, an application for condonation of delay of 20 days in filing the Appeal. No reply has been filed with regard to the said application. On due consideration of the reasons assigned therein, which is duly supported by an affidavit, the same is allowed. Delay of 20 days in filing the Appeal is hereby condoned. IA No.01/2019, thus stands disposed of. Heard on IA No.03, an application for exemption from filing the certified copy of order passed under Section 170 of the Motor Vehicles



Act, 1988.

On due consideration, the same is allowed and the Appellant is hereby exempted from filing the certified copy of the order passed under the said provision.

IA No.03/2019 thus, stands disposed of.

Heard on admission.

Admit.

Issue notice to Respondents No.1 to 3 and 5 only on payment of PF as per rules.

Also heard on I.A No.02/2019, an application for grant of stay.

Let notice be issued to the said Respondents on this application also, as above.

Meanwhile, purely as an interim measure, it is directed that the effect and operation of the award impugned dated 14.09.2018 passed by the 3rd Additional Motor Accident Claims Tribunal, Ambikapur, District Surguja in Claim Case No.190/2016 shall remain stayed till the next date of hearing, subject to the Appellant's depositing 75% of the award under Appeal before the concerned Executing Court within a period of 45 days from today.

Respondents No.1 to 3/Claimants shall be entitled to withdraw the same as per the terms and conditions mentioned in the award impugned, without furnishing any kind of security before the said Court.

It is made clear that if any of the conditions is violated, then this order shall lose its efficacy and the award impugned shall become executable forthwith.

Post this matter after five weeks for consideration on IA No.02/2019 along with the other connected matters.

Sd/-

(Sanjay S. Agrawal)
JUDGE