



HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

MAC No. 128 of 2020

•Karnataka State Road Transport Corporation, Regional Office, Bangalore City, Karnataka (Owner Of The Offending Vehicle Bus No. KA 42 F 1809),

---- Appellant

Versus

1. Smt. Suman Singh W/o Arun Kumar Singh Aged About 45 Years Resident Of House No. C-1, Avanti Vihar, Daldal Sivani, Police Station- Telibandha, Raipur, District- Raipur Chhattisgarh,
2. Shri Arun Kumar Singh S/o Late Haribansh Singh Aged About 54 Years Resident Of House No. C-1, Avanti Vihar, Daldal Sivani, Police Station- Telibandha, Raipur, District- Raipur Chhattisgarh,
3. Kumar Apurva S/o Arun Kumar Singh Aged About 18 Years Resident Of House No. C-1, Avanti Vihar, Daldal Sivani, Police Station- Telibandha, Raipur, District- Raipur Chhattisgarh,
4. Kumar Swamy S/o Kone Gouda Aged About 29 Years Resident Of- At House No. 34, Hittamadhu Main Road, Sriram Nagar, Bsk 3rd Stage, Bangalore City, Karnataka (Driver Of The Offending Vehicle Bus No. Ka 42 F 1809),

---- Respondents

24.06.2022	Shri Sangharsh Pandey, counsel for the appellant. None for the respondents No. 1 to 3, though served. Respondent No.4/Driver is reported to be unserved. Heard on I.A.No. 01/2020, an application for condonation of delay of 147 days in filing this appeal. No reply has been filed with regard to the said application. On due consideration and for the reasons assigned therein, which is supported by an affidavit, I am inclined to allow the same. The application is allowed and the delay of 147 days is condoned.



	I.A.No.01/2020, thus, stands disposed of. Also heard on admission. Admit. Issue notice to the respondents on merits, on payment of P.F. as per rules. Heard on I.A.No.02/2020, an application for grant of stay. Issue notice of this application also to the respondents, as above. Meanwhile, purely as an interim measure, it is directed that the effect and operation of the award impugned dated 09.05.2019 passed by the 4th Additional Claims Tribunal to the Court of 1st Additional Motor Accident Claims Tribunal, Raipur in Claim Case No.609/2015 shall remain stayed till the next date of hearing, subject to appellant's depositing 50% of the award under appeal before the concerned Executing Court/Tribunal 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. It is made clear that if any of the conditions is violated, then this interim order shall lose its efficacy and the award impugned shall become executable forthwith. Call for the record from the concerned Tribunal and post this matter after 5 weeks for consideration on I.A.No.02/2020. Sd/- (Sanjay S. Agrawal) Judge
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