

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

MAC No. 51 of 2021

- Branch Manager, The New India Assurance Company Limited, 2nd Floor, Radha Building, Bajrang Market, G Road, Raipur Throgh Authorized Signatory, Manager Suit Legal Hub, 2nd Floor, Rama Trade Centre, Above Axix Bank, Opposite Rajiv Plaza, Old Bus Stand Road, Bilaspur Chhattisgarh
---- **Appellant/N.A.No.3**

Versus

1. Pawan Saay S/o Amarsaay Aged About 61 Years R/o Village Tileedand, P. S. Bango, District Korba Chhattisgarh
2. Shanti Bai W/o Pawan Saay Aged About 57 Years R/o Village Tileedand, P. S. Bango, District Korba Chhattisgarh
3. Suresh Kumar S/o Late Heeralal Aged About 18 Years R/o Village Tileedand, P. S. Bango, District Korba Chhattisgarh (Claimants in M.A.C.T.No.38/20 & Non-applicants in M.A.C.T.No.47/2018)
4. Jamuna Bai Wd/o Late Heeraram Aged About 40 Years R/o Village Tileedand, P. S. Bango, District Korba Chhattisgarh
5. Anita Kumari D/o Late Heeraram Aged About 16 Years Respondent No. 5, Is Minor Through Their Natural Guardian Mother Namely Jamuna Bai, Respondent No. 04, R/o Village Tileedand, P. S. Bango, District Korba Chhattisgarh
6. Amrita Kumari D/o Heeraram Aged About 14 Years Respondent No. 6, Is Minor Through Their Natural Guardian Mother Namely Jamuna Bai, Respondent No. 04, R/o Village Tileedand, P. S. Bango, District Korba Chhattisgarh (Claimants in M.A.C.T. No. 47/2018 & Non-applicants in M.A.C.T. No. 38/2018)
7. Prabhu Bhuiya S/o Shri Kanhai Bhuiya R/o Village Binauka Ward No. 10, P. S. Manatu, Post Kasmar, Tehsil Udaipur, District Palamu, Jharkhand.....**Driver**
8. Mahamaya Associates Second Floor, No. S. F. 12, Shyam Plaza, Pandri Bus Stand Raipur Chhattisgarh**Owner**
---- **Respondents**

3	Through Video Conference
14.06.2021	Shri B.N.Nande, counsel for the appellant. Heard on admission. Admit. Issue notice to the respondents, on payment of P.F. as per rules.

Also heard on I.A.No.01/2021, 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 common impugned award dated 19.10.2020 passed by the Additional Tribunal to the Court of Additional Motor Accident Claims Tribunal, Katghora shall remain stayed till the next date of hearing, subject to appellant's depositing 75% of the award under appeal before the concerned Tribunal/Executing Court within a period of two months from today.

Respondents/claimants shall be entitled to withdraw the same as per the terms and conditions mentioned in the impugned award.

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.

Call for the record of the Claims Tribunal and post this matter after 5 weeks for consideration on I.A.No.01/2021.

Sd/-
(Sanjay S. Agrawal)
Judge