

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

MAC No. 223 of 2022

- United India Insurance Co. Ltd Near Brahmroad Kumkum Hotel, Ambikapur, Tehsil Ambikapur, District Surguja Chhattisgarh, Through In Charge, T.P. Hub, United India Insurance Co. Ltd. 1st Floor, Lic Building, Magarpara Road, Bilaspur Chhattisgarh. **----Appellant**

Versus

1. Gauhar Ansari S/o Rahmdil Ansari Aged About 44 Years Occupation Agriculture, R/o Chandranagar, Police Station Ramanujanj Tehsil Ramanujanj, District Balrampur Ramanujanj Chhattisgarh.
2. Raisun Bibi Aka Raitun Ansari wife Gauhar Ansari Aged About 39 Years Occupation House Wife, R/o Chandranagar, Police Station Ramanujanj Tehsil Ramanujanj, District Balrampur Ramanujanj Chhattisgarh.
3. Ozir Ahmed S/o Gauhar Ansari Aged About 17 Years Occupation Student, R/o Chandranagar, Police Station Ramanujanj Tehsil Ramanujanj, District Balrampur Ramanujanj Chhattisgarh.
4. Anil Kumar Ekka S/o Shri Shivman Ekka Aged About 39 Years Profession Driver, Resident Of Sattipara, Ambikapur District Surguja Chhattisgarh, Presently R/o Ward No. 15, Balrampur, Tehsil And Thana Balrampur, District Balrampur Ramanujanj Chhattisgarh.
5. Chhotelal Gupta S/o Mr. Kariman Sao Aged About 46 Years Profession Vehicle Owner, R/o House No. 29, Mandirpara, Putsura, Post Maharajganj, Thana Balrampur, Present Add Ward No. 1 Balrampur, Tehsil And Thana Balrampur, District Balrampur Ramanujanj Chhattisgarh. **---- Respondents**

	(Through Video Conference)
09.02.2022	Shri R.N. Pusty, counsel for the Appellant. Heard on I.A. No.01/2022, an application for exemption from filing the certified copy of order passed under Section 170 of Motor Vehicles Act, 1988. On due consideration and for the reasons assigned therein, I am inclined to allow the same. The application is allowed and the appellant is exempted from filing the certified copy of the order passed under the said provision. I.A. No.01/2022 thus, stands disposed of. Also heard on admission. Admit.

	Issue notice to the Respondents on payment of P.F., as per rules. Heard on I.A. No.02/2022, an application for grant of stay. Let notice be issued on 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 02.11.2021, passed by Motor Accident Claims Tribunal, Balrampur place Ramanujganj (C.G.), in Motor Accidental Claim Case No.31 of 2018, shall remain stayed, till the next date of hearing, subject to Appellant's depositing 75% of the award under appeal before the concerned Executing Court/Tribunal within a period of 2 months from today. The 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 order shall lose its efficacy and the award impugned shall become executable forthwith. Call for record of the concerned Tribunal. Post this matter after 5 weeks for consideration on I.A. No.02/2022. Sd/- (Sanjay S. Agrawal) JUDGE
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