



CGHC010165872026

HIGH COURT OF CHHATTISGARH AT BILASPUR

MAC No. 1068 of 2026

- 1** - Smt. Lalita Ekka Wife Of Late Rajkumar Ekka Aged About 33 Years Resident Of Village - Nawadih Saraipali Balco, P.S. - Balco, Tahsil And District - Korba (C.G.)
- 2** - Vinyamin Ekka Son Of Late Rajkumar Ekka Aged About 11 Years Minor Represented Through Mother And Legal Guardian Smt. Lalita Ekka, Resident Of Village- Nawadih Saraipali Balco, P.S.- Balco, Tahsil And District Korba (C.G.)
- 3** - Prince Ekka Son Of Late Rajkumar Ekka Aged About 9 Years Minor Represented Through Mother And Legal Guardian Smt. Lalita Ekka, Resident Of Village- Nawadih Saraipali Balco, P.S.- Balco, Tahsil And District Korba (C.G.)
- 4** - Madhuri Ekka Daughter Of Late Rajkumar Ekka Aged About 7 Years Minor Represented Through Mother And Legal Guardian Smt. Lalita Ekka, Resident Of Village- Nawadih Saraipali Balco, P.S.- Balco, Tahsil And District Korba (C.G.)
- 5** - Amar Sai Ekka Son Of Late Khuru Aged About 60 Years Resident Of Village - Nawadih Saraipali Balco, P.S. Balco, Tahsil And District- Korba (C.G.)

--- Appellants

versus

1 - Sammat Lal Kanwar Son Of Bhabhishan Singh Kanwar Aged About 30 Years Resident Of Village- Kukricholi Basti, Khalhe Para, P.S.- Uрга, District - Korba (C.G.)

2 - Surendra Kumar Jaiswal Son Of Devman Lal Jaiswal Aged About 42 Years Resident Of Mata Choura Muhalla Matiyari Jeenj, Bilaspur, Tahsil And District- Bilaspur (C.G.) At Present Resident Of House No. 460-A Sector 4-A Type Balco Nagar, Ward No. 38, P.S.- Balco, Tahsil And District- Korba (C.G.)

3 - The Branch Manager The Oriental Insurance Company Limited, T.P. Nagar, Korba, Tahsil And District- Korba (C.G.)

--- Respondent(s)

MAC No. 573 of 2026

1 - Branch Manager, The Oriental Insurance Company Limited, T.P. Nagar Korba Tehsil And District- Korba (C.G.) Through- Authorized Signatory Manager Legal Hub, The Oriental Insurance Company Limited Lic Building Magarpara Bilaspur (C.G.)

---Appellants

Versus

1 - Smt. Lalita Ekka W/o Late Rajkumar Ekka Aged About 33 Years Through- Natural Gaurdian Mother Smt. Laltia Ekka Res No. 01, R/o Village- Nawadih Saraipali Balco P.S. Balco, Tehsil And District- Korba (C.G.)

2 - Minor Vinyamin Ekka S/o Late Rajkumar Ekka Aged About 11 Years Through- Natural Gaurdian Mother Smt. Laltia Ekka Res No. 01, R/o Village- Nawadih Saraipali Balco P.S. Balco, Tehsil And District- Korba (C.G.)

3 - Minor Prince Ekka S/o Late Rajkumar Ekka Aged About 9 Years Through- Natural Gaurdian Mother Smt. Laltia Ekka Res No. 01, R/o Village- Nawadih Saraipali Balco P.S. Balco, Tehsil And District- Korba (C.G.)

4 - Minor Madhuri Ekka S/o Late Rajkumar Ekka Aged About 7 Years Through-
Natural Gaurdian Mother Smt. Laltia Ekka Res No. 01, R/o Village- Nawadih
Saraipali Balco P.S. Balco, Tehsil And District- Korba (C.G.)

5 - Amar Sai Ekka S/o Late Khuru R/o Village Nawadih Saraipali Balco P.S.
Balco Tehsil And District- Korba (C.G.)

6 - Sammat Lal Kanwar S/o Bhabhisan Singh Kanwar Aged About 30 Years R/o
Village- Kukricholi Basti Khalhe Para P.S. Urga District- Korba (C.G.)

7 - Surendra Kumar Jaiswal S/o Devman Lal Jaiswal Aged About 42 Years R/o
Mata Chaura Mohalla Matiyari Jinj Bilaspur Tehsil And District- Bilaspur (C.G.)
Pin Code 495550 Presently Residing At House No.460 A Sector 4 A Type Balco-
Nagar Ward No.38 P.S. Balco- Tehsil And District- Korba (C.G.)

--- Respondent(s)

Order Sheet

22.07.2026	<u>MAC No. 1068 of 2026</u> Mr. K.K. Dewangan, counsel for the appellants. Ms. Anjali Nayak, counsel on behalf of Mr. B. N. Nande, counsel for respondent No. 3. Notice to respondent Nos. 1 & 2 stands dispensed with. Since this is an admitted appeal, list this case for final hearing. <u>MAC No. 573 of 2026</u> Ms. Anjali Nayak, counsel on behalf of Mr. B. N. Nande, counsel for the appellant.

	Mr. K.K. Dewangan, counsel for respondent Nos. 1 to 5. Ms. Dhaneshwari Patel, counsel on behalf of Mr. Pushpendra Kumar Patel, counsel for respondent Nos. 6 & 7. Pursuant to the directions of this Court dated 20.07.2026, the Registry has recalculated the delay and has reported that the actual delay is only 02 days. Heard on I.A. No. 02/2026, which is an application for condonation of delay in filing of the appeal. Upon due consideration and for the reasons assigned in the application duly supported by an affidavit of appellant No. 1, the same is allowed. The delay of 02 days is hereby condoned. Heard on admission. This appeal is admitted for hearing. The record is received. Also heard on I.A. No. 1/2026, which is an application for grant of interim relief/stay. By impugned award dated 21.11.2025 passed in Claim Case No. 68/2024, the Tribunal has granted a total compensation of Rs. 26,40,800- with annual interest @ 9%. Learned counsel for the appellant submits that the learned Tribunal has committed an error of law by entertaining the instant claim case, the appellant is confident of success because the learned tribunal has wrongly imposed liability upon the present appellant. As such, stay may be granted. In view of the above, it is directed that on appellant's depositing 50% of the awarded amount within a period of 30 days from today, the recovery of rest of the award shall remain stayed till the next date of hearing.
--	--

AMIT PATEL	The claimants are entitled to withdraw the amount to be so deposited by the appellant/insurance company on furnishing an undertaking to return the said amount whenever the Court directs. Accordingly, I.A. No. 01/2026 stands disposed of. Sd/- (Sanjay Kumar Jaiswal) Judge
------------	--