



HIGH COURT OF CHHATTISGARH AT BILASPUR

MAC No. 730 of 2025

1 - Shriram General Insurance Company Ltd. Through Branch Manager,
E-8, Epip, Riico Industrial Area, Jaipur (Rajasthan) (Insurer)

--- Appellant

versus

1 - Mahendra Kumar Sahu S/o Late Madhav Ram Sahu Aged About 44
Years R/o Ward No. 21, Sheetala Para, P.S. Gobra Navapara, Distt.
Raipur (C.G.) (Claimant)

2 - Mohd. Minaj Khan S/o Mohd. Rashid Khan Aged About 44 Years R/o
Sardar Vallabh Bhai Patel Ward, P.S. Boghghat, Distt. Bastar (C.G.)
(Driver)

3 - Bindunath Thakur S/o J.B. Thakur Aged About 66 Years R/o Guru
Govind Singh Ward, Gidam Road, Jagdalpur, District Bastar (C.G.)
(Owner)

--- Respondents

MAC No. 733 of 2025

1 - Shriram General Insurance Company Ltd. Through Branch Manager,
E-8, Epip, Riico Industrial Area, Jaipur, Rajasthan, (Insurer)

---Appellant

Versus

1 - Komal Nirmalkar S/o Late Dhanesh Nirmalkar Aged About 44 Years
R/o Ward No. 21 Sheetala Para, P.S. Nawapara, District Raipur
Chhattisgarh (Claimant)

2 - Mohd. Minaj Khan S/o Mohd. Rashid Khan Aged About 44 Years R/o
Sardar Vallabh Bhai Patel Ward, P.S. Boghghat, District Bastar
Chhattisgarh (Driver)

3 - Bindunath Thakur S/o J.B. Thakur Aged About 66 Years R/o Guru
Govind Singh Ward, Gidam Road, Jagdalpur, District Bastar Chhattisgarh
(Owner)

--- Respondents

10.06.2025	Mr. Ashutosh Rathore, counsel for the appellant. The appeals have been preferred by the Insurance Company alleging the award dated 22.11.2024 passed by the 9th Additional Motor Accident Claims Tribunal, Raipur (C.G.) in Claim Case No. 815/2018 & Claim Case No. 729/2018 by which learned Claims Tribunal has passed the award directing the Insurance Company to pay award of Rs. 94,998/- & Rs. 8,92,016/- respectively to the Claimants. Learned counsel for the appellants would submit that there was delay in lodging of the FIR vitiates the entire award, thus he would pray for admission of the appeals.

I have heard learned counsel for the appellant.

There is no such law for delayed FIR, the entire award is to be set-aside but considering the other submissions raised, I am of the view that the instant appeal deserves to be admitted.

Accordingly, both the appeals are admitted for hearing.

Heard on applications for grant of interim relief/stay filed in both the appeals.

In MAC No. 733/2025

On depositing of 80% of the amount of compensation, the effect and operation of the award dated 22.11.2024 passed by the 9th Additional Motor Accident Claims Tribunal, Raipur (C.G.) in Claim Case No. 729/2018, shall remain stayed till the next date of hearing. It is made clear that the amount deposited by the appellant shall not be disbursed without leave of this Court.

In MAC No. 730/2025

On depositing of the entire amount of compensation, the effect and operation of the award dated 22.11.2024 passed by the 9th Additional Motor Accident Claims Tribunal,

<i>Bhumika</i>	Raipur (C.G.) in Claim Case No. 815/2018, shall remain stayed till the next date of hearing. It is made clear that the amount deposited by the appellant shall not be disbursed without leave of this Court. List both the cases for final disposal on 29th July, 2025 in motion hearing list. Sd/- (Narendra Kumar Vyas) Judge
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