

HIGH COURT OF CHHATTISGARH, BILASPUR  
Order Sheet

**MAC No. 791 of 2019**

Shriram General Insurance Company Limited, Through Branch Manager 2nd Floor, Thakur Market Opposite Dr. Baldev Hospital, Dhangu Road, Pathankot J And K ) Regional Office 4th Floor, Maruti Heights, Besides Sky Maruti Dealership, G.E. Road Raipur, District Raipur Chhattisgarh. ( Non Applicant No. 3)

---- Appellant

**Versus**

1. Smt. Yogita Jhulekar @ Yogita Sonekar, W/o Lekhram Jhulekar Aged About 30 Years R/o Village Halekosa, Post Shikari Mahaka, Police Station Churiya, Tehsil Churiya, District Rajnandgaon Chhattisgarh. (Claimant ),
2. Sahil Kumar Tarkhan S/o Suramchand Tarkhan Aged About 23 Years R/o Village Dhandal, Police Station And Tehsil Ramnagar, District Udhampur J And K ) (Driver )
3. Rakesh Kumar S/o Davindra Kumar , S/o Davindra Kumar, R/o Rajbhag, Tehsil Hiranagar, District Kathua J And K ) (Owner )

---- Respondents

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| <b>01.07.2019</b> | <p>Shri Utsav Mahiswar, counsel for the Appellant.</p> <p>Vide order dated 26.02.2019, this appeal has already been admitted, however, notices have not been issued.</p> <p>Let notices be issued to the Respondents on payment of P.F., as per rules.</p> <p>Also heard on I.A. no. 3/2019, an application for exemption from filing the certified copy of the order under Section 170 of the M.V. Act, 1988.</p> <p>Shri Mahiswar does not want to press this application. The application is, accordingly, rejected as not pressed.</p> <p>I.A. No. 3/2019, stands disposed of.</p> <p>Also heard on I.A. No. 2/2019, an application for staying the effect and operation of the award impugned dated 19.11.2018 passed by Second Additional Motor Accident Claims Tribunals in Claim Case No. 175 of 2016, pending decision of this appeal.</p> <p>Let notice be issued on this application also as above.</p> <p>Meanwhile, purely as an interim measure, it is directed that the effect and operation of the award impugned dated 19.11.2018 passed by Second Additional Motor</p> |

Accident Claims Tribunals in Claim Case No. 175 of 2016 shall remain stayed, till the next date of hearing subject to appellant's depositing a sum of Rs. 10 lacs of the award under appeal before the concerned executing Court within a period of one month from today.

The Respondent No. 1/Claimant shall be entitled to withdraw the said amount without furnishing any kind of security before the concerned Executing Court.

Post this matter along with MAC 605 of 2019 after 5 weeks for consideration on I.A. No. 2/2019.

Sd/-  
**(Sanjay Agrawal)**  
**JUDGE**