

HIGH COURT OF CHHATTISGARH, BILASPUR**MAC No. 665 of 2023**

- Magma H.D.I. General Insurance Company Limited, Through its Legal Manager, Present Address Office No. 501 And 512, 5th Floor, D.B. City, Corporate Park, Block No. 9, Rajbandha Maidan, Raipur, Chhattisgarh.

----Appellant**Versus**

1. Smt. Geetanjali Panda, W/o Late Kishore Panda, aged about 41 Years,
2. Chhaya Panda, D/o Late Kishore Panda, aged about 17 Years,
3. Bhanupriya Panda, D/o Late Kishore Panda, aged about 12 Years,

Respondent Nos. 2 & 3 being minor through Natural Guardian Mother
Respondent No. 1 Smt. Geetanjali Panda W/o Late Kishore Panda,

All are by caste Bramhan, R/o Village Karrakot, Post Risora, P.S. Sariya, Tahsil Bramkela, District Raigarh, Chhattisgarh.

4. Hemant Kumar Rathiya, S/o Anuj Ram, aged about 36 Years, Caste Kanwar, R/o Village and Post Rampur, Via Bhaisma, P.S. And Tahsil Kartala, District Korba, Chhattisgarh.
5. Ritesh Kumar Singh, S/o Indra Bahadur Singh, aged about 33 Years, R/o Patthalgaon, Tahsil Patthalgaon, District Jashpur, Chhattisgarh.

---- Respondents

28/04/2023	Mr. Sourabh Sharma, counsel for the appellant. Heard I.A. No.01/2023, application for exemption from filing certified copy of order passed under Section 170 of Motor Vehicle Act, 1988. On due consideration and for the reasons mentioned in the application which is duly supported by an affidavit, I am inclined to allow the application. Accordingly, I.A. No.01/2023 is allowed and the appellant is exempted from filing certified copy of order passed under Section 170 of Motor Vehicle Act, 1988.

Also heard on I.A. No. 2/2023, application for condonation of delay in filing the appeal.

Issue notice to the respondents on I.A. No.2/2023, application for condonation of delay in filing the appeal as well as on merits, on payment of process fee, as per rules.

Call for the record of the concerned Tribunal.

Also heard on I.A. No.03/2023, application for grant of stay/interim relief.

On due consideration, purely as an interim measure, it is directed that on deposit of 80% of the awarded amount by the appellant/Insurance Company within a period of 45 days from today before the concerned Claims Tribunal, the execution of recovery of remaining awarded amount shall remain stayed until further orders.

Upon depositing the amount of compensation, as ordered by this Court, claimants will be entitled to withdraw the same in accordance with the terms of award passed by Claims Tribunal.

List this case after receipt of service report.

**Sd/-
(Radhakishan Agrawal)
Judge**