

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

MAC No. 1144 of 2015

Jagprasad Sahu **Versus** Taran Kumar Sahu

01/11/2021	<p>Mr. Vinod Kumar Pandey, counsel for the appellant.</p> <p>Mr. Atul Kesharwani, counsel for respondent No.1</p> <p>None for respondent No.2 though served.</p> <p>This appeal has been preferred by the owner of Tractor involved in accident in which the respondent No1./ claimant fell down from the Tractor trolley and sustained injuries for which Rs. 1,43,500/- has been awarded.</p> <p>It appears that respondent No.3 is not a party before the Tribunal and only non applicant/ respondent No.3 Divisional Manager has reported the impugned award.</p> <p>So this Court, finds fit to dispense with the service of respondent No.3 at this stage.</p> <p>Heard on application I.A. No.2/2015, application for condonation of delay in filing the appeal,</p> <p>Considering the reason assigned, the delay is condoned.</p>

Accordingly, the application is allowed.

Heard on admission.

Admit

Call for record.

Also heard on application for grant of stay.

Considering the facts and circumstances of the case, it is directed that on appellant's depositing 75% of the awarded amount before the concerned Tribunal within 60 days, execution of the remaining part of awarded amount shall remain stayed till further orders.

The disbursement of the amount, as deposited by the appellant before the concerned Tribunal shall be made in terms of the award passed by the Tribunal.

It is made clear that this order shall not come in the way of disbursement of the amount deposited by the owner in favour of the claimant by Tribunal upon due verification.

Post the matter **after two months**

SD/-
(**Deepak Kumar Tiwari**)
Judge

Ayushi

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