

HIGH COURT OF CHHATTISGARH, BILASPUR**MAC No. 821 of 2024**

1. United India Insurance Co. Ltd. Durg (C.G.), Through Branch Office In Front Of Project Automobile, G.E. Road Power House, Bhilai District Durg (C.G), Through T.P. Hub Incharge, United India Insurance Co. Ltd. Magarpara Road Bilaspur, District Bilaspur (C.G.),...(Insurance Co.)

---- Appellant**Versus**

1. Karamjeet Singh Soni S/o Amarnath Soni Aged About 49 Years R/o Dabrapara Bhilai 3 (Old Bhilai) District Durg (C.G.),....(claimant)
2. Shobha Ram Sahu S/o Ramlal Sahu R/o New Bus Stand Saja, District Bemetara, (C.G.),....(Owner)

---- Respondent

(Cause-title taken from Case Information System)

24.04.2024	Mr. Pravin Kumar Tulsyan, learned counsel for the appellant. Heard on admission. Admit. Call for the record from claims tribunal. Also heard on I.A. No.01/2024, which is an application for stay on execution of award. Learned counsel for the appellant would submit that the injured has received injuries on his eyes and P.W.-2, Dr. B. R, Kosaria, who has issued the medical certificate Ex.P/61 to the claimant, opined that the injured suffered with 30% permanent disability, whereas, the claims tribunal has considered it as 100% permanent disability. He would further submit that Dr. B. R. Kosaria is not the treating Doctor of the claimant and he has not sent him for his medical examination before District Medical Board, therefore, the claims tribunal has wrongly assessed the compensation amount. Considering the submission made by the learned counsel for the appellant, the effect and operation of the impugned award dated 27.01.2024

shall remain stayed till next date of hearing. On appellant's depositing 60% of awarded amount alongwith the interest within a period of 45 days from today before the claims tribunal. The claimant is entitled to withdraw the amount so deposited by the insurance company in terms of para – 38 of the award.

Issue notice to the respondents on payment of PF, as per rule.

List this case after service of notice upon the respondents.

Sd/-
(Ravindra Kumar Agrawal)
JUDGE

Ravi Mandavi