

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

MAC No. 786 of 2020

- Divisional Manager, National Insurance Company Limited Near Lal Ganaga Shopping Complex, G.E. Road, Raipur, District Raipur Chhattisgarh. Through Authorised Singnatory, Manager, T.P. Hub, National Insurance Company Limited, T.P. Hub Office, Vyapar Vihar Road, Above Canara Bank, Bilaspur, District Bilaspur Chhattisgarh., (Non-Applicant No.3)

---- Appellant**Versus**

1. Smt. Anamika, Wd/o Late Bhushan Harsani Aged About 40 Years Caste Sindhi R/o Village Aamapara, Dhamtari, Post, Police Station, Tehsil And District Dhamtari Chhattisgarh.,
2. Mayank, S/o Late Bhushan Harsani Aged About 20 Years Caste Sindhi R/o Village Aamapara, Dhamtari, Post, Police Station, Tehsil And District Dhamtari Chhattisgarh.,
3. Suman, D/o Late Bhashan Harsani Aged About 18 Years Caste Sindhi R/o Village Aamapara, Dhamtari, Post, Police Station, Tehsil And District Dhamtari Chhattisgarh.,
4. Ramchand, S/o Late Premchand Aged About 71 Years Caste Sindhi R/o Village Aamapara, Dhamtari, Post, Police Station, Tehsil And District Dhamtari Chhattisgarh.... (Claimants),
5. Sharavan Kumar, S/o Late Ramji Gupta Aged About 30 Years R/o Of Village Gujgahan, Naharpara, Post Office Gujgahan, Police Station Arjuni, Tehsil And District Dhamtari Chhattisgarh. (Driver),
6. Rajesh Jaiswal, S/o Ravindranath Aged About 48 Years R/o Village Gujgahan, Naharpara, Post Office Gujgahan, Police Station Arjuni, Tehsil And District Dhamtari Chhattisgarh.,

---- Respondents

1	(through video conference)
24.06.2020	Shri B.N.Nande, counsel for the appellant. Heard on admission. Admit. Issue notice to the respondents, on payment of P.F. as per rules.

Also heard on I.A.No.01/2020, an application for grant of stay.

Issue notice of this application also to the respondents, as above.

Meanwhile, purely as an interim measure, it is directed that the effect and operation of the award impugned dated 24.12.2019 passed by the Additional Motor Accident Claims Tribunal (F.T.C.), Dhamtari, Dist. Dhamtari, in Claim Case No.85/2018 shall remain stayed till next date of hearing, subject to appellant's depositing 75% of the award under appeal before the concerned Executing Court/Tribunal, within a period of three months from today.

Respondents No.1 to 4/Claimants shall be entitled to withdraw the same as per the direction contained in the award impugned.

It is made clear that if any of the conditions is violated, then this interim order shall lose its efficacy and the award impugned shall become executable forthwith.

Call for the record of the Claims Tribunal and post this matter after 5 weeks for consideration on I.A.No.01/2020.

Sd/-

(Sanjay S. Agrawal)
Judge