



HIGH COURT OF CHHATTISGARH, BILASPUR
Order Sheet

2025:CGHC:38781

MAC No. 699 of 2022

- Branch Manager The Oriental Insurance Company Limited, Branch Office, Ambedkar Chowk, Ambikapur, District : Surguja (Ambikapur), Chhattisgarh.

---- Appellant

Versus

1. Dharam Kunwar Wd/o Late Sadhram, Aged About 55 Years R/o Village Khaliba, Police Station Gandhinagar, Tahsil Ambikapur, District : Surguja (Ambikapur), Chhattisgarh.
2. Sukhram S/o Late Sadhram, Aged About 25 Years R/o Village Khaliba, Police Station Gandhinagar, Tahsil Ambikapur, District : Surguja (Ambikapur), Chhattisgarh.
3. Yogesh Jaiswal S/o Shri Kishun Jaiswal, Aged About 50 Years R/o House No. 412, Ring Road, Kenabandh, Bouripara, Ambikapur, Police Station And Tahsil Ambikapur, District : Surguja (Ambikapur), Chhattisgarh.
4. Adhari Ram S/o Baldev, Aged About 27 Years R/o Shardapur, Police Station Chalgali, Tahsil Wadrafnagar, District : Balrampur, Chhattisgarh.

--Respondents

24.06.2022	Shri Raj Awasthi, counsel for the Appellant. In view of filing of certified copy of the award impugned, default(s), as pointed out by the Registry, is hereby dropped. Heard on I.A. No.01/2022, an application seeking exemption from filing the certified copy of the order passed under Section 170 of the Motor Vehicles Act, 1988 (for short 'the Act of 1988'). On due consideration and for the reasons assigned therein, which is duly supported by an affidavit, I am inclined to allow the same and, the Appellant is accordingly exempted from filing the certified copy of the order passed under Section 170 of the Act of 1988. I.A. No.01/2022, thus, stands disposed of. Also, heard on admission.



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Admit.

Issue notice to the Respondents on payment of P.F., as per rules.

Heard on I.A. No.02/2022, an application for grant of stay.

Let notice be issued on 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 01.01.2022 passed by the Third Additional Motor Accident Claims Tribunal, Surguja (Ambikapur)(C.G.), in Claim Case No.23/2020, shall remain stayed, till the 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 2 months from today.

The Respondents No.1 and 2/Claimants shall be entitled to withdraw the same, as per the terms and conditions mentioned in the award impugned.

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

Call for record of the concerned Tribunal.

Post this matter after 5 weeks for consideration on I.A. No.02/2022.

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