

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

M.A(C) No. No.928 of 2020

The New India Assurance Company Limited Branch Office Ghadi Chowk , Raipur, Police Station , Tahsil And District Raipur Chhattisgarh Present Address Banaras Road, Near Ambika Petrol Pump , Police Station And Tahsil Ambikapur , District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh
--- Appellant

Versus

1. Smt. Sudhari Bai W/o Balindar Aged About 59 Years R/o Village Kasra (Bhainsamuda) Police Station Patna, Tahsil Baikunthpur , District Korea Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh
2. Balindar S/o Late Jaikaran Ram Aged About 62 Years R/o Village Kasra (Bhainsamuda) Police Station Patna, Tahsil Baikunthpur , District Korea Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh
3. Ramnandan Prasad S/o Late Pudeni Prasad Aged About 62 Years Occupation Driver , R/o Village Bedoli, Police Station Bhagwanganj, District Patna (Bihar) , Present R/o New Mass Sawana Raipura, Police Station And Tahsil Raipur , District Raipur Chhattisgarh.
4. Baijanti Devi Thorough Janki Roadlines, Transport Nagar Bilaspur Road Ranwabhat, Raipur , District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

----Respondents

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05.04.2021	Shri Dashrath Gupta, counsel for the Appellant. Heard on admission. Admit. Issue notice to the Respondents on payment of PF as per rules. Also heard on IA No.01/2020, an application for grant of stay. Issue notice to the Respondents on this application also, as above. Meanwhile, purely as an interim measure, it is directed that the effect and operation of the award impugned dated 13.01.2020

passed by the 1st Additional Motor Accident Claims Tribunal, Ambikapur, District Surguja in Claim Case No.186/2018 shall remain stayed till the next date of hearing, subject to the Appellant's depositing 75% of the award under Appeal before the concerned Executing Court within a period of two months from today.

Respondents No.1 & 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 records of the concerned Tribunal and post this matter after five weeks for consideration on IA No.01/2020 along with M.A (C) No.978/2020.

Sd/-
(Sanjay S. Agrawal)
JUDGE