

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

MAC No. 1154 of 2024

Future General India Insurance Company Limited, **Versus** Ahilya Sahu and others

27/6/2024	Mr. Saurabh Sharma, Counsel for the appellant. Heard. Admit. Issue notice to the respondents on payment of PF as per rules. Call for the record of the Claims Tribunal. Also heard on IA No.1/2024, an application for grant of stay. Issue notice on this application also, as above. Learned counsel for the appellant would submit that the claimants are the wife and son of deceased Narayan Sahu, who was driving the offending vehicle - Autorikshaw bearing registration No. CG 04-T-9586 owned by his own son Tarachand Sahu – respondent No.3 and thereby, the deceased has stepped into the shoes of the owner of the vehicle and in such view of the matter, Section 163A of the Motor Vehicles Act would not apply. For the above submission, he would place reliance on the matter of Ningamma and another Vs. United India Insurance Company Ltd reported in (2009) 13 SCC 710, which has been followed by this Court in the matter of Meena Bai Sen Vs. Tulsiram Sen,

Shyna	reported in AIRONLINE 2022 CHH 314. In view of the above submission, purely as an interim measure, it is directed that the effect and operation of the impugned award shall remain stayed till the next date of hearing. Certified copy as per rules. Sd/- (Deepak Kumar Tiwari) Judge .
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