

HIGH COURT OF CHHATTISGARH, BILASPUR

MAC No. 735 of 2022

- Branch Manager, The New India Assurance Company Limited, 2nd Floor, Rama Trade Center In Front Of Rajeev Plaza, Near Old Bus Stand, Bilaspur, Chhattisgarh

---- Appellant

Versus

1. Ku. Afrin Fatima D/o Late Firoz Ansari Aged About 15 Years
2. Sahil Ansari S/o Late Firoz Ansari Aged About 10 Years
3. Kasak Ansari D/o Late Firoz Ansari Aged About 9 Years (No. 1, 2 and 3 above named) Through Afroz Ansari (Guardian Appointed Vide Order Dated 29-06-2021 Pursuant To Death Of Original Claimant No. 1 And 2) R/o Ward No. 37, Driver Colony Domnahill, P.S. Chirmiri, Presently At Village Salka, P.S. And Tehsil Baikunthpur, Korea, Chhattisgarh --claimants
4. Kailash S/o Late Babulal Panika Aged About 31 Years R/o Village-Bhaiyathan, P.S. Bhaiyathan, District Surajpur, Chhattisgarh (Driver)
5. Singh Transport Company Through Satvinder Singh Kalra, R/o Village Chainpur, Manendragarh, Tehsil Manendragarh, Gelhapani, P.S. Chirmiri, Koriya, Chhattisgarh (Owner)
6. Mrs. Nazia Begum W/o Late Firoz Ansari Aged About 23 Years R/o Ward No. 37, Driver Colony Domanhill, P.S. Chirmiri, Korea, Chhattisgarh

---- Respondents

28/06/2022	Shri Priyanshu Gupta, 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.1/2022, 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 impugned award dated 02.03.2022 passed

by the Additional Motor Accident Claims Tribunal(FTC), At Baikunthpur, Koriya(CG) in MACT Case No.04/2021 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/Tribunal within a period of two months from today.

Respondent Nos.1 to 3/claimants and also the Respondent No.6 (Mrs. Nazia Begum) 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 the records of the concerned Tribunal and post this matter after five weeks for consideration on I.A. No.1/2022.

Sd/-
(Sanjay S. Agrawal)
Judge