

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

Misc. Appeal (C) No.1074 of 2023

Branch Manager, The New India Assurance Company Limited, (Wrongly Mentioned Insurance) Branch Office, Ambika Petrol Pump Campus, Amedkar Chowk, Ambikapur, District Surguja, C.G. **Through-** Authorized Signatory Manager, T.P Claim Hub, 2nd Floor Rama Trade Center Above Axis Bank, Opposite Rajiv Plaza, Old Bus Stand Road, Bilaspur, C.G.

---- Appellant

Versus

1. Minor Choti Lakra D/o Late Rajan Lakra Aged About 7 Years Through Legal Gaurdian Maternal Grandmother Resham Bai Aged 65 Year W/o Dinesh Singh Pawle, Occupation Housewife R/o Mathpara, P.S. and Pawle, Tehsil Ambikapur, District Surguja (Ambikapur), Chhattisgarh.
2. Sarjit Singh S/o Late Bachchan Singh Aged About 42 Years Driver R/o Pragati Nagar, Camp No.1, Ward No. 21, Supela, Behind New Basant Talkies, Bhilai, P.S. and Tehsil Bhilai, District : Durg, Chhattisgarh.
3. Santosh Kumar Gupta S/o Late Shivnandan Prasad Gupta Aged About 42 Years, Vehicle Owner, Camp No. 1, Road- 18 Near Teen Darshan Mandir, Bhilai, District Durg, Chhattisgarh.

---- Respondents

06/07/2023	Mr. B.N. Nande, counsel for the appellant. Heard on I.A. No.01/2023, application for condonation of delay occurred in filing the instant appeal. For the reasons mentioned in the application, the same is allowed. Delay of 41 days in filing the appeal is condoned. Also heard on admission as well as I.A. No.02/2023,

application for grant of interim relief and stay.

Issue notice to respondents (on admission as well as I.A. No.02/2023).

P.F. be paid as per rules.

Call for record of the concerned Claim Tribunal.

Meanwhile, purely as an interim measure, it is directed that on deposition of 60% of the award amount by the appellant/Insurance Company within a period of 45 days before the concerned Claim Tribunal, execution of the recovery of remaining award amount shall remain stayed till further orders. After deposition of award amount, as directed by this Court, it will be disbursed in favour of the Claimant/s after furnishing adequate surety, as per the terms and conditions of the award passed by the Tribunal.

List this appeal after eight weeks.

Sd/-

(Arvind Singh Chandel)

Judge