



HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

Miscellaneous Appeal (C) No.1335 of 2019

Bajaj Allianz General Insurance Company Limited, Through Branch Manager, Third Floor, Gurukripa Tower, Beside ICICI Bank, Vyapar Vihar Road, Tahsil And District Bilaspur, Chhattisgarh (Insurance Company of Vehicle Auto No. C. G.-11/A.D.-8019).

---- Appellant

Versus

1. Ramkishun Banjare, S/o Late Bihari Lal Banjare, Aged About 32 Years, Caste Suryavanshi, R/o Khamhardih, Bilha, Thana And Tahsil Bilha, District Bilaspur Chhattisgarh (Claimant).
2. Raisen Manhar, S/o Tihu Ram Manhar, Aged About 37 Years, R/o Bartori, Thana And Tahsil Bilha, District Bilaspur, Chhattisgarh, Present Address Cheudih, Thana Pamgarh, District Janjgir-Champa Chhattisgarh (Driver and owner of Vehicle Auto No. C.G.-11/A.D.-8019).

---- Respondents

23/07/2019	Shri Sachin Singh Rajput, counsel for the Appellant. Heard on I.A. No.2/2019, an application for exemption from filing the certified copy of the order passed under Section 170 of the Motor Vehicles Act, 1988. Shri Rajput submits that he does not want to press this application, as the certified copy of the order passed under the said provision has been submitted before this Court by way of covering



memo on 08.07.2019.

The application is accordingly rejected, as not pressed.

I.A. No.2/2019, thus, stands disposed of.

Heard on admission.

Admit.

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

Also heard on I.A. No.1/2019, an application for grant of interim relief.

Issue notice 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 06.04.2019 passed by the 3rd Additional Motor Accident Claims Tribunal, District Bilaspur (C.G.) in Claim Case No.584/2015, shall remain stayed till the next date of hearing, subject to appellant's depositing a sum of Rs.5,00,000/- (Five Lakhs Only) of the award under appeal before the concerned Executing Court within a period of 45 days from today.

The Respondent No.1/Claimant shall be entitled to withdraw the same without furnishing any kind of security before the concerned Executing Court.

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



executable forthwith.

Call for the records of the Court below.

Post this matter after five weeks for consideration on
I.A. No.1/2019.

Sd/-
(Sanjay Agrawal)
Judge