



CGHC010220762024

HIGH COURT OF CHHATTISGARH AT BILASPUR**MAC No. 1351 of 2024****SURAJ AGRAWAL @ SONU *versus* NIRAJ AGRAWAL****Order Sheet**

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21/08/2026	Mr. Arvind Prasad, Advocate for the appellant. Mr. Sangeet Kumar Kushwaha, Advocate for Respondent No.3. Notices issued to Respondents No.1 and 2 is reported to be unserved as door locked and RAD left respectively. Heard on I.A. No.01/2024 – an application under Section 5 of the Limitation Act for condonation of delay in filing the appeal. I.A. No.01/2024 is dismissed as not pressed. Also heard on I.A. No.02/2024 – an application under Section 5 of the Limitation Act for condonation of delay in filing the appeal. Learned counsel for the appellant submits that the appeal has been filed for enhancement of amount of compensation awarded by the Tribunal.

Saxena	Upon due consideration and for the reasons assigned in the application, the same is allowed and delay of 131 days is hereby condoned. On the oral prayer made by learned counsel for the appellant, it is submitted that the liability to satisfy the award has been fastened upon the Insurance Company and, therefore, issuance of notice to the driver and owner of the offending vehicle is not necessary. No objection raised from the other side. Considering the aforesaid submission and the fact that the liability has been fastened upon the Insurance Company, the oral prayer made on behalf of the appellant is allowed. Accordingly, issuance of notice to Respondents No.1 and 2 (driver and owner) is hereby dispensed with. Original record is available. List this matter for final hearing after three weeks. Sd/- (Sanjay Kumar Jaiswal) Judge
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