

## HIGH COURT OF CHHATTISGARH, BILASPUR

## Order Sheet

**Miscellaneous Appeal (C) No.1344 of 2019**

1. Vinod Singh @ Sunil Kumar, S/o Satta Singh, Aged About 34 Years, R/o In front of SBI Bank, Gidam, Tahsil & Police Station Gidam, District South Bastar, Dantewada, Chhattisgarh (Driver).
2. Manager, Sarawati Shiksha Mandir, Sanchalak Mohan Singh, S/o Satta Singh, R/o In front of SBI Bank, Gidam, Tahsil & Police Station Gidam, District South Bastar, Dantevada, Chhattisgarh (Owner).

---- Appellants

**Versus**

1. Ashok Kumar Mishra, S/o Late Shri D.D. Pandit, Aged About 40 Years, R/o GAD Colony Avrabhata, Police Station & Tahsil Dantevada, District South Bastar, Dantevada Chhattisgarh.
2. Smt. Reeta Mishra, W/o Shri Ashok Kumar Mishra, Aged About 41 Years, R/o GAD Colony Avrabhata, Police Station & Tahsil Dantevada, District South Bastar, Dantevada Chhattisgarh.
3. Ankush Mishra, S/o Shri Ashok Kumar Mishra, Aged About 18 Years, R/o GAD Colony Avrabhata, Police Station & Tahsil Dantevada, District South Bastar, Dantevada Chhattisgarh.
4. The Oriental Insurance Co. Ltd., Branch Office - Raipur, Tahsil Raipur, District Raipur, Chhattisgarh (Insurer).

---- Respondents

24/07/2019	Shri Akhtar Hussain, counsel for the Appellants.  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 stay.

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 02.04.2019 passed by the Additional Motor Accident Claims Tribunal, Dantevada, District South Bastar (C.G.) in Claim Case No.39/2015, shall remain stayed till the next date of hearing, subject to appellants' depositing a sum of Rs.80,000/- (Eighty Thousand Only) of the award under appeal before the concerned Executing Court within a period of 3 months from today.

The Respondent Nos.1 to 3/Claimants 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