



CGHC010233852026

HIGH COURT OF CHHATTISGARH AT BILASPUR

MAC No. 1615 of 2026

1 - Royal Sundaram General Insurance Company Limited Through Branch Office Rama Trade Centar, First Floor In Front Of Rajiv Plaza, Old Bus Stand Bilaspur, Tahsil And District Bilaspur (C.G.) (Insurer Of The Offending Vehicle Truck No C.G. 04/j.A./1280)

... Appellant

versus

1 - Arshi Khatun Wd/o Late Ashif Anshari Aged About 34 Years R/o Near Bus Stand Seepat, P.S. Seepat, Tehsil And District Bilaspur (C.G.)

2 - Shana Anshari D/o Late Ashif Anshari Aged About 10 Years R/o Near Bus Stand Seepat, P.S. Seepat, Tehsil And District Bilaspur (C.G.)
Claimant No. 2 And 3 Are Minor Through Their Natural Guardian Mother Arshi Khatun

3 - Ayaman Anshari S/o Late Ashif Anshari Aged About 7 Years R/o Near Bus Stand Seepat, P.S. Seepat, Tehsil And District Bilaspur (C.G.)
Claimant No. 2 And 3 Are Minor Through Their Natural Guardian Mother Arshi Khatun

4 - Laila Khatun Wd/o Late Kudrat Anshari Aged About 70 Years R/o Near Bus Stand Seepat, P.S. Seepat, Tehsil And District Bilaspur (C.G.)

5 - Shiv Kumar Chouhan S/o Chait Ram Chouhan Aged About 41 Years R/o Amora, P.S. Navagarh, District- Janjgir-Champa (C.G.) Present Address - Village Khokhsa, Chouki-Naila, District - Janjgir-Champa (C.G.) (Driver)

6 - Sambhu Paliwal S/o Phakir Chand Paliwal Aged About 62 Years R/o V.I.P. City, Janjgir, P.S. - Lanjgir, Tehsil And District- Janjgir-Champa (C.G.) (Owner)

... Respondents

Order Sheet

13/07/2026	Mr. Anupam Dubey, counsel for the appellant. Heard on I.A. No. 01/2026, application under Section 5 of Limitation Act for condonation of delay in filing the appeal. The accident occurred on 13.05.2023, and the award was passed on 02.03.2026. The instant appeal was filed on 17.06.2026 i.e. after a delay of 13 days but till date not a single penny has been deposited in favour of the claimants. Considering all these facts, this Court finds it appropriate to impose some amount of cost upon the appellant while allowing the delay application. Accordingly, I.A. No. 01/2026 is allowed, and delay of 13 days would be condoned, subject to payment of a cost of Rs. 2,000/- by cheque to one of the claimants within a period of 15 days from today before the Tribunal. Also heard on admission. Admit. Also heard on I.A. No. 02/2026, Application for grant of stay. By impugned award dated 02.03.2026 passed in Claim Case No. 857/2023, the Tribunal has granted a total compensation of Rs. 23,40,522/- with annual interest @ 9%. It is directed that on appellant's depositing 90% of the awarded amount within a period of 30 days from today, the recovery of rest of the award shall remain stayed till the next date of hearing. The claimants are entitled to withdraw the amount to be so deposited by the appellant/insurance company on furnishing an undertaking to return the said amount whenever the Court directs. Accordingly, I.A. No. 02/2026, is allowed to the extent indicated herein-above. Issue notice to the respondents by ordinary as well as speed post. PF be paid within 7 days.
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	Call for the records of the Tribunal. List this case thereafter. The receipts regarding deposits of payment of cost of Rs. 2,000/- as also the 90% of the award amount directed by this Court, shall be filed by the next date of hearing. Sd/- (Sanjay Kumar Jaiswal) Judge
H.L.Sahu	