

HIGH COURT OF CHHATTISGARH, BILASPUR

MAC No. 1566 of 2018

1 - Shriram General Insurance Company Limited
Branch Office-E-8, I.P. Ricco Industrial Area, Sitapura, Jaipur (Rajasthan)
302022 Local Address- 4th Floor, Maruti Height, G.E. Road, Near Sky
Automobile, Mahoba Bazaar, Raipur (Chhattisgarh).....(Insurer Of
Truck No. C.G.-04-J.A./8804)

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Versus

1 - Smt. Savitri Kashyap W/o Late Mahesh Prasad Kashyap, Aged About
28 Years R/o Mahamayapara, Ratanpur, Thana Ratanpur, District
Bilaspur Chhattisgarh.....(Claimant)

2 - Aayu Kashyap S/o Late Mahesh Prasad Kashyap, Aged About 8
Years Minor Represented Through Natural Guardian Mother Respondent
No. 1 Smt. Savitri Kashyap, R/o Mahamayapara, Ratanpur, Thana
Ratanpur, District Bilaspur Chhattisgarh.....(Claimant)

3 - Smt. Savitri Kashyap W/o Late Laxmi Prasad Kashyap, Aged About
60 Years R/o Mahamayapara, Ratanpur, Thana Ratanpur, District
Bilaspur Chhattisgarh.....(Claimant)

4 - Moh. Muinuddin Khan S/o Moh. Habib Khan, Aged About 26 Years
R/o Satnam Nagar, Near Vinay Kirana Stores, Telibandha, Raipur
(Chhattisgarh).....(Driver Of Truck No. C.G.-04-J.A./8804)

5 - Moh. Habib Khan S/o Late Moh. Sade Khan, Aged About 54 Years
R/o Satnam Nagar, Near Vinay Kirana Stores, Telibandha, Raipur
(Chhattisgarh).....(Owner Of Truck No. C.G.-04-J.A./8804)

--Respondents

07/03/2024	Shri Saurabh Sharma, counsel for the Appellant. Shri Qamrul Aziz, counsel for Respondents No. 1 to 3, while none for others, though served. Heard on I.A.No.2/2018, an application for exemption from filing the certified copy of the order passed under Section 170 of the Motor Vehicles Act, 1988. On due consideration, the application is allowed and the

	appellant is hereby exempted from filing the certified copy of the same. I.A.No.2/2018, thus, stands disposed of. Also heard on I.A.No.1/2018, an application for staying the effect and operation of the impugned award dated 18.05.2018 passed by the 5th Additional Motor Accidents Claims Tribunal, Bilaspur in Claim Case No. 664/2016, pending decision of this appeal. On due consideration, the application is allowed and it is directed that the effect and operation of the impugned award dated 18.05.2018 passed by the 5th Additional Motor Accidents Claims Tribunal, Bilaspur in Claim Case No. 664/2016 shall remain stayed until further orders, subject to the Appellant's depositing 75% of the award under Appeal before the concerned Executing Court within a period of 45 days from today. Respondent Nos.1 to 3/ Claimants shall be entitled to withdraw the same, as per the terms and conditions mentioned in the award impugned. It is made clear that if any of the conditions is violated, then this order shall lose its efficacy and the award impugned shall become executable forthwith. I.A.No.1/2018, stands disposed of. Post this matter for final hearing along with MAC No. 191/2019. Sd/- (Sanjay S. Agrawal) Judge
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