

**HIGH COURT OF CHHATTISGARH, BILASPUR**

Order Sheet

MAC No. 5 of 2021

- Branch Manager, The Oriental Insurance Company Ltd., Sunil Video World, Mahavir Swami Chowk, Main Market Kawardha, District - Kabirdham (C.G.), Through In - Charge, T. P. Hub, T.P. Hub Office, Rama Trade Centre, 1st Floor, Opp. Rajeev Plaza, New Old Bus Stand, Bilaspur Chhattisgarh, Pin - 495001.(Respondent No. 3)

---- Appellant**Versus**

1. Vijay Kumar Sahu, S/o Bhagat Ram Sahu, Aged About 24 Years At - Manikchouri, Police Station - Pipariya, Tahsil - Kawardha, District - Kabirdham Chhattisgarh. (Claimant),
2. Pawan Kumar, S/o Rajelal Patel, Aged About 32 Years At Village Bhagutola, Police Station And Tahsil - Kawardha, District - Kabirdham, Chhattisgarh. (Driver - Cum - Owner),

---- Respondents

2	Through Video Conference
03.09.2021	Shri Ratan N. Pusty, counsel for the appellant. Heard on I.A.No.01 of 2021, an application seeking exemption from filing the certified copy of the order passed under Section 170 of the Motor Vehicles Act, 1988. On due consideration and for the reasons assigned in the application, I am inclined to allow the same. Accordingly, I.A.No.01 of 2021 is allowed and the appellant is exempted from filing the certified copy of the order passed under the said provision. I.A.No.01/2021, thus, stands disposed of. Also heard on admission. Admit. Issue notice to the respondents, on payment of P.F. as per rules. Heard on I.A.No.02 of 2021, an application for grant of stay.



Issue notice of this application also to the respondents, as above.

Meanwhile, purely as an interim measure, it is directed that the effect and operation of the award impugned dated 21.01.2020 passed by the Motor Accident Claims Tribunal, Kabirdham (Kawardha) (C.G.) in Claim Case No. 16/2015 shall remain stayed till the next date of hearing, subject to appellant's depositing 75% of the award under appeal before the concerned Executing Court within a period of two months from today.

Respondent No.1/Claimant shall be entitled to withdraw the same, as per the direction of the Executing Court.

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.

Call for the record of the Claims Tribunal and post this matter after 5 weeks, for consideration on I.A.No.02 of 2021.

Sd/-
(**Sanjay S. Agrawal**)
Judge