

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

Miscellaneous Appeal (C) No.1826 of 2019

The Oriental Insurance Company Limited, Through Branch Manager, Branch Officer,
Hotel Laxman Avenue, Krishi Mandi Road, Jagdalpur, District Bastar, Chhattisgarh
(Insurance Company).

---- Appellant**Versus**

1. Smt. Meena Sethia, W/o Late Chandrabhan Alias Chandru Sethia, Aged About 38 Years,
Next Friend For Minor Respondent No. 3, R/o Solguda Para, Village Baniya Gaon, Post
Baniya Gaon, Thana Bhanpuri, District Bastar, Chhattisgarh (Claimant).
2. Chumman Sethia, S/o Late Chandrabhan Alias Chandru Sethia, Aged About 18 Years,
R/o Solguda Para, Village Baniya Gaon, Post Baniya Gaon, Thana Bhanpuri, District
Bastar, Chhattisgarh (Claimant).
3. Kiran Kumar Sethia, S/o Late Chandrabhan Alias Chandru Sethia, Aged About 15 Years
(Minor Through Mother Respondent No. 1), R/o Solguda Para, Village Baniya Gaon, Post
Baniya Gaon, Thana Bhanpuri, District Bastar, Chhattisgarh (Claimant).
4. Gadru Ram Sethia, S/o Late Piladas Sethia, Aged About 60 Years, R/o Solguda Para,
Village Baniya Gaon, Post Baniya Gaon, Thana Bhanpuri, District Bastar, Chhattisgarh
(Claimant).
5. Smt. Ghinai Sethia, W/o Gadru Ram Sethia, R/o Solguda Para, Village Baniya Gaon,
Post Baniya Gaon, Thana Bhanpuri, District Bastar, Chhattisgarh (Claimant).
6. Omkar Ailas Onkar Thakur, S/o Somnath Thakur, Aged About 28 Years, R/o Dundiguda
Para Village Garenga, Post Ganrenga, Thana Karpawand, District Bastar, Chhattisgarh
(Driver).
7. Virendra Singh Thakur. S/o Ganesh Thakur, R/o Village Pallibhata, Post Kesarpal, Thana

Bhanpuri, District Bastar, Chhattisgarh (Deleted On Dated 06-10-2018) (Co-Owner).

8. Narendra Singh, S/o Ganesh Thakur, R/o Village Pallibhata, Post Kesarpal, Thana Bhanpuri, District Bastar, Chhattisgarh (Owner).

---- Respondents

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21/10/2019	Shri Sudhir Agrawal, counsel for the Appellant. 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 effect and operation of the award impugned dated 29.06.2019 passed by the 2nd Upper Motor Accident Claims Tribunal Jagdalpur, District Bastar (C.G.) in Claims Case No.144/2018 shall remain stayed, subject to Appellant's depositing a sum of Rs.7,00,000/- of the award under appeal before the concerned Executing Court within a period of two months from today. The Respondent Nos.1 to 5/Claimants shall be entitled to withdraw the same, as per the terms and conditions mentioned in the award impugned 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