



HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

Miscellaneous Appeal (C) No.1731 of 2019

Branch Manager, The New India Insurance Company Limited, (Correct Name Assurance), Akashwani Road, Jagdalpur, Gandhi Nagar Ward, nearby M.M. Tower, Jagdalpur, District Bastar, Chhattisgarh (Non-Applicant No.3).

---- Appellant

Versus

1. Dukaru Bharti, S/o Late Shri Laxman Bharti, Aged About 45 Years, Caste Bhatra, R/o Village Badedewda, Police Station Karpawand, Tahsil Bakawand, District Bastar, Chhattisgarh (Father of Deceased) (Claimant).
2. Smt. Sukdei Bharti, W/o Late Shri Dukaru, Aged About 42 Years, (Mother of Deceased), R/o Village Badedewda, Police Station Karpawand, Tahsil Bakawand, District Bastar, Chhattisgarh (Claimant).
3. Raghunath Kalar, S/o Shriram Kalar, Caste Kalar, Aged About 27 Yearsd (Driver of Offending Vehicle), R/o Village Motigaon, Tahsil Kodega, Police Station Kosagumda, District Nawrangpur, Odisha (Non-Applicant No. 1).
4. Astu Kalar, S/o Shri Jitru Kalar, Aged About 35 Years, (Owner of Vehicle), No. C.G.17-H/1553, R/o Village Motigaon, Tahsil Kodega, Police Station Kosagumda, District Nawrangpur, Odisha (Non-Applicant No. 2).

---- Respondents

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20/09/2019	Shri Pankaj 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 interim relief.



Issue notice on this application also, as above.

2026:CGHC14972

Meanwhile, purely as an interim measure, it is directed that the effect and operation of the impugned award dated 28.06.2019 passed by the Motor Accident Claims Tribunal, Raipur (C.G.) in Claim Case No.176/2018, shall remain stayed till the next date of hearing, subject to appellant's depositing a sum of Rs.6,00,000/- (Six Lakhs Only) of the award under appeal before the concerned Executing Court within a period of 45 days from today.

The Respondent Nos.1 & 2/Claimants shall be entitled to withdraw the same as per the direction contained in the award impugned.

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