

NIRMALA
RAO



HIGH COURT OF CHHATTISGARH AT BILASPUR

MAC No. 1784 of 2025

**MAGMA GENERAL INSURANCE COMPANY (EARLIER MAGMA HDI) *versus*
KRIPARAM**

Order Sheet

27/02/2026	Ms. Aditi Diwan, Advocate for the appellant/s. Shri Rajendra Patel, Advocate for respondents No.1 to 4. Heard on I.A. No.1 of 2025, an application for condonation of delay in filing the appeal. Learned counsel for the appellant would submit that this appeal has been preferred by the Insurance Company with delay of 68 days. She would contend that sufficient grounds have been assigned. She would pray to condone the delay. On the other hand, learned counsel for respondents No.1 to 4 would oppose.

	Heard learned counsel for the parties and perused the documents present on record. Taking into consideration the submissions made by counsel for the appellant and the reasons assigned in the application, I.A. No.1 of 2025 is allowed and the delay of 68 days in filing the instant appeal is hereby condoned. Admit. Heard on I.A. No.2 of 2025, an application for grant of interim relief. Learned counsel for the appellant would submit that claim petition was filed under Section 164 of the Motor Vehicles Act and the learned Tribunal has granted compensation to the tune of Rs.5,00,000/- though the deceased rider of the motorcycle did not have a valid and effective driving license. She would submit that the claim petition filed by the claimant was not maintainable. On the other hand, learned counsel for respondents No.1 to 4 would oppose. He would contend that the Insurance Company failed to prove the fact that the deceased did not have a valid and effective driving license by leading cogent evidence and therefore, the learned Tribunal has fastened the liability with the Insurance Company. Heard. Taking into consideration the submissions advanced by the respective advocates if the Insurance Company deposits 80% of the awarded amount, alongwith the interest component, before the learned Tribunal within a
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period of 60 days from today, there shall be a stay on the remaining amount.

The claimants would be at liberty to withdraw the amount once deposited by the appellant with the learned Tribunal.

Also heard on I.A. No.4 of 2026, an application for condonation of delay in filing the cross-objection.

Learned counsel for the claimants/ respondents No.1 to 4 would submit that the cross objection has been filed with a delay of 4 days.

On due consideration, I.A. No.4 of 2026 is allowed and the delay in filing the cross objection is hereby condoned and cross objection is admitted for hearing.

Post this matter for final hearing.

Sd/-

(Rakesh Mohan Pandey)
Judge