



HIGH COURT OF CHHATTISGARH AT BILASPUR

MAC No. 1796 of 2025

CHOLAMANDLAM M.S. GENERAL INSURANCE COMPANY LIMITED

Versus

SARASWATI SAHU & ORS

Order on Board

06/11/2025	Ms. Harneet Kaur, Advocate holding the brief of Mr. Sourabh Sharma, Advocate for the appellant/Insurance Company. Mr. P.R. Patankar, Advocate for respondents No. 1 to 3/claimants. Mr. Navin Shukla, Advocate for respondents No. 5 and 6/driver and owner. Ms. Harneet Kaur, learned counsel appearing for the appellant/Insurance Company would submit that respondent No. 4, namely Mantoriya Bai Sahu, has died during pendency of this appeal and her legal representative are already on record. She would contend that the appellant may be permitted to delete the name of respondent No. 4. On the other hand, learned counsel appearing for the
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respective respondents would oppose.

Heard learned counsel for the parties.

Taking into consideration the oral submission made by Ms. Harneet Kaur, her prayer is allowed and she is permitted to delete the name of respondent No. 4 within a period of 07 days.

Also heard on I.A. No. 02/2025, application for grant of stay.

Ms. Harneet Kaur, learned counsel appearing for the appellant/Insurance Company would argue that the offending vehicle was being plied in absence of valid permit, but the learned Claims Tribunal has fastened liability with the Insurance Company. She would pray to grant stay of the impugned award.

On the other hand, learned counsel appearing for respective would oppose.

Heard.

Taking into consideration the submission made by Ms. Harneet Kaur and reasons assigned in the application, if the appellant/Insurance Company deposits 60% of award amount with interest with the concerned Claims Tribunal within a period of 60 days from today, execution of remaining part of

award shall remain stayed till the next date of hearing.

The claimants would be at liberty to withdraw the said amount once deposited by the Insurance Company according to the terms enumerated in the award itself.

Sd/-
(Rakesh Mohan Pandey)
Judge