

NIRMALA
RAO



HIGH COURT OF CHHATTISGARH AT BILASPUR

MAC No. 2123 of 2025

ICICI LOMBARD GENERAL INSURANCE COMPANY LIMITED **versus**
RUKHMANI BAI SAHU

Order Sheet

27/02/2026	Shri Sourabh Gupta, Advocate for the appellant/s. Ms. Jyoti Kaushik, Advocate for respondent No.1. Heard on I.A. No.1 of 2025, an application for grant of stay. Learned counsel for the appellant would submit that there was a breach of conditions of the Insurance Policy and that was the reason the learned Tribunal fastened liability with the owner of the offending vehicle but wrongly applied principle of pay and recover. He would pray for grant of stay. On the other hand, learned counsel for respondent No.1 would oppose.

	Heard learned counsel for the parties and perused the documents present on record. Taking into consideration the fact that there was a breach of the Insurance Policy, the learned Tribunal has fastened liability with the owner of the offending vehicle but at the same time, directed the Insurance Company to satisfy the award and recover it from the owner, therefore, if the Insurance Company deposits 90% of the awarded amount, alongwith the interest component, before the learned Tribunal within a period of 60 days from today, there shall be a stay on the remaining amount. The claimant would be at liberty to withdraw the amount once deposited by the appellant with the learned Tribunal. Post this matter for final hearing. Sd/- (Rakesh Mohan Pandey) Judge
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