

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

MAC No. 297 of 2020

- Branch Manager National Insurance Co. Ltd. Kamthi Line Rajnandgaon District Rajnandgaon Through Division Manager Divisional Office Vyapar Vihar Road Bilaspur , District Bilaspur, Chhattisgarh. **----Appellant**

Versus

1. Kamlesh Kumar Dhalal S/o Late Narad Kumar Dhalal Aged About 20 Years Residence At Village And P.S. Bagandi Tahsil Chhuriya District Rajnandgaon, Chhattisgarh.
2. Manish Kumar Dhalal S/o Late Narad Kumar Dhalal Aged About 19 Years Residence At Village And P.S. Bagandi Tahsil Chhuriya District Rajnandgaon, Chhattisgarh.
3. Shivcharan Dhalal S/o Late Budhiya Dhalal Aged About 62 Years Residence At Village And P.S. Bagandi Tahsil Chhuriya District Rajnandgaon, Chhattisgarh.
4. Preetpal Singh @ Tikku S/o Gurdeep @ Ajeet Singh Aged About 42 Years R/o Gurunank Nagar Opposite Gurudwara Usha Kunj Bhilai P.S. Supela District Durg, Chhattisgarh. **---- Respondents**

2	
19.02.2020	Shri Pravin Kumar Tulsyan, counsel for the Appellant. Heard on I.A. No.1, an application for condonation of delay of 13 days in filing this appeal. On due consideration and for the reasons assigned therein, which is duly supported by an affidavit, I am inclined to allow the same. The application is allowed and delay is accordingly condoned. I.A. No. 1 stands disposed of. Also heard on admission. Admit. Issue notice to the Respondents on payment of P.F., as per rules. Heard on I.A. No. 2, an application for grant of stay. Issue notice on this application also to the Respondents, as above. Meanwhile, purely as an interim measure, It is directed that the effect and operation of the award impugned dated 30.08.2019 passed by the Additional Motor Accident Claims Tribunal, Rajnandgaon in Claim Case No. 133 of 2017

	shall remain stayed, till the next date of hearing in so far as the present Appellant is concerned, subject to Appellant's depositing 75% of the award under appeal before the concerned Executing Court within a period of 45 days from today.
--	--

	The Respondents No. 1 to 3/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 said Court.
--	---

	It is made clear that if any of the conditions is violated, then this order shall lose its efficacy and the award impugned shall become executable forthwith.
--	--

	Call for records of the concerned Tribunal.
--	--

	Post this matter after 5 weeks for consideration on I.A. No. 2.
--	--

	Sd/- (Sanjay S. Agrawal) JUDGE
--	--