

IN THE HIGH COURT OF JHARKHAND AT RANCHI
M.A. No. 160 of 2024

1. The Divisional Manager, New India Assurance Company Limited, Ranchi
 2. M/s New India Assurance Company Limited, Bokaro, through its Jharkhand Legal Cell, Ranchi
- ... Appellants**

-Versus-

1. Arti Dey
 2. Nitish Kumar
 3. Ashish Kumar Dey
- ... Respondents**

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Appellants : Mr. Manish Kumar, Advocate

For the Respondents :

05/01.07.2025 Learned counsel for the appellants submits that there is delay of 359 days in filing the present appeal and for condonation of delay, I.A. No.4410 of 2024 has been filed. He further submits that original file itself was misplaced and in tracing out the same and in further formality, such delay has occurred. He also submits that the present appeal has been filed on the ground that the deceased himself was negligent. He submits that the appeal is still pending, however, the Certificate Officer has issued warrant of arrest against the Branch Manager of the insurance company. He submits that in view of that, I.A. No.7188 of 2025 has been filed for stay of further proceeding of the certificate case.

2. In view of the above and considering that the matter is pending and there is delay in filing the present appeal, the appellant-insurance company is directed to deposit entire awarded amount along with interest before the District Certificate Officer, Bokaro within three weeks. Out of the deposited amount, sum of Rs.1,00,000/- (Rupees One Lakh) shall be released in favour of the claimants on proper verification. Rest of the amount shall be kept intact, which will be subject to result of the present appeal.

3. In view of the above, issue notice upon respondent nos. 1, 2 and 3 in the main miscellaneous appeal as well as in two I.As, meant for condonation of delay and stay, by ordinary process as well as registered post with A/D, for which, requisites etc. shall be filed within two weeks.
4. The respondents-claimants are kept at liberty to file a petition for modification of this order.
5. In view of the above, there shall be stay of further proceedings of Certificate Case No.29/2023-24 arising out of Motor Accident Claim Case (MACC) No. 132/2019, pending before the District Certificate Officer, Bokaro.
6. Let this matter appear on 20.08.2025.

(Sanjay Kumar Dwivedi, J.)

Ajay/