

IN THE HIGH COURT OF JHARKHAND AT RANCHI

M.A. No. 709 of 2017

Branch Manager/ Chief Executive Officer Bajaj Allianz General
Insurance Co. Ltd. ... Appellant

Versus

Dr. Shihir Kumar Suman & Another ... Respondents

CORAM :HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Appellant :Mr. Alok Lal, Advocate

For the Respondents :Mr.

3/25.02.2019

I.A. No. 1797/2019

This interlocutory application has been filed by the appellant for staying the further proceedings of Misc Ex. Case No. 71 of 2018.

Learned counsel further submits that the award under challenge is on the ground that such amount can only be given in exercise of power conferred under Article 142 of the Constitution of India and under the peculiar facts of the case by the Hon'ble Supreme Court alone, the Act confers no such authority to the tribunal under Section 147 of the Act and elsewhere. Besides that he has also challenged the award on others grounds.

Insurance Company is directed to deposit the amount of Rs. 9,00,000 (Nine Lakhs) in the Court below and if such amount is deposited by the appellant, further proceedings of Case No. 71 of 2018 will remain stayed till further orders.

The learned court below shall disburse the said amount in favour of the claimant, after proper verification and being satisfied by the court below.

Let notice be issued on concerned respondents in I.A. as well as in the main appeal by ordinary process. The requisites etc. must be filed within two weeks, failing which, this appeal shall stand dismissed without further reference to a Bench.

Let the matter appear after six weeks.

(Sanjay Kumar Dwivedi, J.)