

IN THE HIGH COURT OF JHARKHAND AT RANCHI
(Civil Miscellaneous Appellant Jurisdiction)
M.A. No.245 of 2023

Kotak Mahindra General Insurance Co. Ltd

.... Appellant(s)

Versus

Ranju Devi and Anr.

.... Respondent(s)

Coram: HON'BLE MR. JUSTICE PRADEEP KUMAR SRIVASTAVA

For the Appellant : Mr. Alok Lal, Advocate

For the Respondents :

Order No.03 Dated- 29.11.2023

I.A. No.10266 of 2023

Heard learned counsel for the appellant.

2. Present interlocutory application has been filed by the appellant for stay of Execution Case being M.A.C.T. No.15 of 2023, pending before the court of Motor Vehicle Accident Claims Tribunal, Ranchi arising out of Motor Accident Claim Case No.9 of 2020.

3. Learned counsel for the appellant submits that there are good grounds in the instant appeal and balance of convenience lies in favour of the appellant. It is further submitted that if execution proceeding is allowed to be continued the whole appeal will become infructuous which causes substantial losses to the appellant. The appellant is ready and willing to furnish such security or securities as the court may direct.

4. Considering the above facts, the appellant-Kotak Mahindra General Insurance Co. Ltd. is directed to deposit total compensation amount of Rs.15,82,000/- with interest before the court of Motor Vehicle Accident Claims Tribunal, Ranchi within four weeks from today. If the receipt of deposited compensation amount is submitted before the learned Tribunal, Execution Case being M.A.C.T. No.15 of 2023 pending in the court of Motor Vehicle Accident Claims Tribunal, Ranchi, shall remain stayed.

M.A. No.245 of 2023

5. Let notice be issued to the respondents at their present and correct address in the matter of limitation under ordinary process for which requisites etc. must be filed within two weeks by the appellant.

6. List this appeal after receipt of service report of notice issued to the respondents on the point of limitation.

(Pradeep Kumar Srivastava, J.)

Pappu/