

IN THE HIGH COURT OF JHARKHAND AT RANCHI
M.A. No.147 of 2022

Branch Manager, Oriental Insurance Co. Ltd.

.... **Appellant**

-Versus-

Rishikesh Kunal & Ors.

.... **Respondent(s)**

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellant : Mr. Alok Lal, Adv.

For the Respondent(s) :

05/Dated: 19th April, 2024

I.A No.811 of 2023

1. The present interlocutory application has been filed by the appellant-Insurance Company for staying the proceeding in connection with Execution Case No.06 of 2022, pending in the Court of learned Principal District Judge-cum-Presiding Officer, M.A.C.T, Palamau at Daltonganj.
2. The present miscellaneous appeal has been filed by the appellant-Insurance Company on the ground that insurer has no right of indemnification. There is no dispute so far as the entitlement of the claimant is concerned.
3. Considering the issue raised in the present miscellaneous appeal, further proceeding in connection with Execution Case No.06 of 2022 shall remain stayed, subject to the condition that the appellant-Insurance Company will deposit the entire awarded amount in the concerned Tribunal within a period of six weeks from today and the Tribunal is directed to release the same in favour of the claimant(s).
4. Accordingly, the present interlocutory application stands allowed.

M.A. No.147 of 2022

1. Issue notice upon the respondents in the limitation matter as well as in the main appeal under ordinary process, for which requisites etc., must be filed within a period of two weeks.
2. As prayed for, put up this case on 12.06.2024.

(Rajesh Kumar, J.)