HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

**MAC No. 2 of 2021**

Reliance General Insurance Company Limited **Versus** Smt. Vashundhara Choudhari & Others

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| 15/11/2021 | Shri Shailesh Tiwari, counsel for the appellant.<br>Shri Vidya Bhushan Soni, counsel for respondent No.1.<br>None for respondents No.2, 5 & 6 though served.<br>Respondent No.3 is the driver and respondent No.4 is the owner. As the Insurance Company has only challenged the quantum part, therefore, with the consent of both the counsel, service to respondents No.3 & 4 is dispensed with for the present.<br>Also heard on IA No.1/2021 for condonation of delay in filing the Appeal.<br>As per the office note, the Appeal is barred by 231 days. The award was passed on 14.2.2020 and the Appeal is filed on 4.1.2021.<br>Learned counsel for the appellant would submit that in view of the order passed by the Hon'ble Supreme Court in MA No.665/2021 in SMW (C) No.3/2020 on 23.9.2021 wherein the Hon'ble Supreme Court has already excluded the limitation period from 15th March, 2020 till 2.10.2021, the application for condonation of delay was not required to be filed and the Appeal is within limitation. Therefore, learned counsel submits |

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| | that he is not pressing the application (IA No.1/2021).<br>It is accordingly dismissed as not pressed.<br>Also heard on IA No.2/2021, for grant of stay.<br>**Admit.**<br>Issue notice to the respondents on payment of PF as per rules, returnable within 6 weeks.<br>Considering the facts and circumstances of the case, it is directed that on appellant's depositing 50% of the award amount before the Claims Tribunal within 2 months, execution of remaining amount shall remain stayed until further orders.<br>Accordingly, IA No.2/2021 is disposed of.<br>It is directed that the amount so deposited by the appellant shall be disbursed to the claimants in terms of the award.<br>Call for the records of the concerned Tribunal.<br>Post the matter for hearing in due course.<br><br>Sd/-<br>(Deepak Kumar Tiwari)<br>**Judge** |
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