



HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

MAC No. 709 of 2021

Branch Manager, United India Insurance Company Limited **Versus** Tulsi Bai and Others

17/11/2021	Mr. Anil Gulati, Advocate for the appellant. Heard. Admit. Issue notice to the respondents on payment of PF as per rules, making it returnable within 6 weeks. Also heard on I.A. No. 01/2021, application for grant of stay. Counsel for the appellant submits that owner himself has died so in view of the judgment passed by the Supreme Court in the matter of <i>Nigamma v. United India Insurance Company Limited, (2009) 13 SCC 710</i>, whereby it has been held that the owner of the vehicle or his legal representative or the borrower of the vehicle cannot raise a claim for an accident in which there was no negligence on the part of the insured vehicle. The borrower of the vehicle or his legal representative are not entitled to get any compensation from the insurer under the Act. Considering the reasons assigned in the application and in view of the submissions made by the counsel hereinabove, the operation and execution of the impugned order passed by the claim's tribunal, shall remain stayed until further order. I.A. No. 01/2021 is accordingly disposed of. Call for the records of the concerned tribunal. Post the matter in due course. Sd/- (Deepak Kumar Tiwari) Judge
Rahul	