

M/s National Insurance Company Limited Vs Guddu Singh @ Chandra Mani Singh And Anr

Court: Jharkhand High Court

Date of Decision: Feb. 5, 2025

Hon'ble Judges: Sanjay Kumar Dwivedi, J

Bench: Single Bench

Advocate: Alok Lal, Vandana Singh

Final Decision: Disposed Of

Judgement

Sanjay Kumar Dwivedi, J

1. Mrs. Vandana Singh, the learned counsel has appeared on behalf of the respondent no.1.

2. Notice upon respondent no.2 has not been effected as yet.

3. Learned counsel for the appellant will take fresh steps of notice upon the respondent no.2 by registered post with A/d as well as under ordinary

process for which requisites ect. must be filed within a week.

4. I.A. No.11640 of 2024 has been filed for stay of the execution proceeding being Certificate Case No.30 of 2023-24 pending in the court of learned

District Certificate Officer, Bokaro.

5. Mr. Alok Lal, the learned counsel for the appellants submits that the appeal is pending and the award has been made for payment of Rs.15,08,320/-

however the grounds have been taken in the appeal of negligence on behalf of the respondent no.1 itself and the respondent no.1 was driving the

vehicle as a borrower of the said vehicle and in view of that he submits that the said Certificate Case may kindly be stayed.

6. Mrs. Vandana Singh, the learned counsel for the respondent no.1 submits that the claimant has not received any amount as yet and appropriate

direction may kindly be issued.

7. In view of above considering that this appeal is still pending and even notice is not completed as yet, in view of that, the appellant is directed to

deposit Rs.15,08,320/- before the learned Tribunal within two weeks.

8. Out of the deposited amount, a sum of Rs.2 lacs (two lacs) will be released in favour of the respondent no.1 and the rest of the amount shall be

kept intact which will be the subject to the final result of the appeal.

9. If within two weeks the said amount is being deposited by the appellant, the proceeding before the District Certificate Officer, Bokaro in Certificate

Case No.30 of 2023-24 pending in the said learned court shall remain stayed.

10. The instant I.A stands disposed of.

11. It is open to the learned counsel appearing for the parties to mention this matter for final disposal after service of notice upon respondent no.2.