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**(2025) 11 SIK CK 0100**

**In the Sikkim High Court**

**Case No : Motor Accident Appeal No. 12 Of 2025**

Divisional Manager, National Insurance Company Ltd.

APPELLANT

Vs

Pema Tamang & Ors

RESPONDENT

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**Date of Decision : 14-11-2025**

**Acts Referred:**

**Citation : (2025) 11 SIK CK 0100**

**Hon'ble Judges : Bhaskar Raj Pradhan, J**

**Bench : Single Bench**

**Advocate : Babita Kumari, Sishir Mothay, Dr. Jigme Wangchuk Bhutia**

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## **Judgement**

Bhaskar Raj Pradhan, J

I.A. No. 02/2025

1. The appeal has been filed by the appellant. This is an application praying for stay of execution proceeding in MACT Execution Case No. 11 of 2024 filed by the respondent no.1 herein on 10.09.2024. After filing the execution case the respondent nos. 1 to 3 has filed a cross-objection on 04.05.2025 dissatisfied with the award rendered by the learned Tribunal.

2. The learned counsel for the parties submit that the execution petition filed by the respondent no.1 herein has not proceeded thereafter as both the learned counsel have been informing the learned Tribunal that there is an appeal and cross-objection pending. The learned counsel for the respondent nos.1 to 3 submits that since they are aggrieved by the award and has filed a cross-objection they do not desire to pursue the execution petition at this stage and would take steps to withdraw it. In view of the categorical statement made by the learned counsel for the respondent nos. 1 to 3 the learned counsel for the appellant desires to withdraw this application for stay. It is accordingly granted. The application is disposed of accordingly. I.A. No.02/2025 stands disposed of.

MAC App.No.12 of 2025

List on 10.12.2025.