

(2009) 05 AHC CK 0188
In the Allahabad High Court

New India Assurance Co Ltd

APPELLANT

Vs

Bharti Nigam & Others

RESPONDENT

Date of Decision : 27-05-2009

Acts Referred:

Citation : (2009) 05 AHC CK 0188

Hon'ble Judges : Amitava Lala, J and Devendra Kumar Arora, J

Final Decision : Allowed

Judgement

Amitava Lala and D.K.Arora, JJ.

Issues involved herein are in respect of involvement of the vehicle and the quantum of compensation.

Issue notice upon the non appearing respondents by registered post with acknowledgement due within a period of fortnight from this date returnable six weeks hence.

The appeal will be heard upon exchange of affidavits on informal papers, as agreed by the parties and the stay of the order impugned passed by the learned Judge, Motor Accident Claims Tribunal, Kanpur Nagar dated 13th April, 2009 in M.A.C.P. No. 94 of 2008 will be operative subject to deposit of the entire awarded amount of Rs. 10,09,500/ along with interest accrued thereon till date within a period of one month from this date. Tribunal concerned is at liberty to release 50% of the total deposited amount to the claimant/s without security.

However, Tribunal concerned is at liberty to keep remaining/balance 50% of the total deposited amount in a short term Fixed Deposit of a nationalized bank and will be renewed time to time till the payment is made or till further order/s of the Court, whichever is applicable.

The entire deposited amount will include the statutory deposit of Rs. 25,000/, which will be remitted in favour of the concerned Tribunal as expeditiously as possible.

Translated copy of the judgement and order, if not filed, be filed on the next date of hearing.⁸