

AFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Appeal (C) No.971 of 2016**

1. Smt. Kritika Shriwas W/o Late Banshilal Shriwas, Aged About 52 Years R/o- Rest House Road, Kargirod, Kota, Police Station- Kota, District- Bilaspur, (Chhattisgarh)
2. Ku. Reeti Shriwas, D/o Late Banshilal Shriwas, Aged About 22 Years R/o- Rest House Road, Kargirod, Kota, Police Station- Kota, District- Bilaspur, (Chhattisgarh)..... Claimants

---- Applicants

Versus

1. Ankush @ Kush Gupta S/o Ashok Gupta, Aged About 20 Years R/o- Firangipara, In Front Of House Of Ram Painter, Kota, Police Station- Kota, District- Bilaspur, (Chhattisgarh), (Vehicle Driver)
2. Kumari Shama Gupta D/o Ashok Gupta, Aged About 22 Years R/o- Firangipara, In Front Of House Of Ram Painter, Kota, Police Station- Kota, District- Bilaspur, (Chhattisgarh), (Vehicle Owner)
3. National Insurance Company Limited, Through The Branch Manager, Branch Office, Taha Complex, Vyapar Vihar Road, Bilaspur, Tahsil & District- Bilaspur, (Chhattisgarh), (Insurer)

---- Respondents

For appellants	: Shri Ashish Gupta and Shri Vijay Sahu, Advocates.
For respondent No.3	: Shri Qamrul Aziz, Advocate.

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****23.11.2016**

Heard.

2. Perused MAC No.668/2016, arising out of Claim Case No.897/2014, filed on 10.5.2016. It appears that against the award passed in Motor Accident Claims Case No.897/2014 vide award dated 17.3.2016 by the Court of 5th Additional Motor Accidents Claims Tribunal, Bilaspur, MAC No.971/2016 has also been filed by the same claimants.

3. MAC No.668/2016 has been admitted for consideration on 13.5.2016 and it was directed to be listed for final hearing on the same date. Record of the Claims Tribunal is also available in the said appeal.
4. The instant MAC No.971/2016 has been filed on 05.7.2016 by the same claimants much after the filing of MAC No.668/2016.
5. In view of the facts, the instant appeal, which has been filed subsequently by the same claimants, cannot be pursued.
6. Consequently, MAC No.971/2016 is disposed of as not maintainable as MAC No.668/2016, filed by the same claimants, is already pending for consideration.

Sd/-
(Chandra Bhushan Bajpai)
JUDGE