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HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Appeal (C) No.1020 of 2016**

1. The Oriental Insurance Company Limited Through The Branch Manager, The Oriental Insurance Company Limited, Branch Ambikapur, District Surguja, Chhattisgarh
2. Divisional Manager, Divisional Office, The Oriental Insurance Company Limited, Ambikapur, District Surguja, Chhattisgarh

----Appellants**Versus**

1. Smt. Sadhna Keshari W/o Late Santosh Prasad Keshari, Aged About 45 Years Occupation Housewife, R/o Mission Chowk, Kedarpur, Ambikapur, Post Ambikapur, District Surguja, Chhattisgarh
2. Shivangini Keshari, D/o Late Santosh Prasad Keshari, Aged About 23 Years Occupation Student, Occupation Housewife, R/o Mission Chowk, Kedarpur, Ambikapur, Post Ambikapur, District Surguja, Chhattisgarh
3. Pankaj Keshari S/o Late Santosh Prasad Keshari, Aged About 22 Years Occupation Student, Occupation Housewife, R/o Mission Chowk, Kedarpur, Ambikapur, Post Ambikapur, District Surguja, Chhattisgarh
4. Pranshu Keshari, S/o Late Santosh Prasad Keshari, Aged About 20 Years Occupation Student, Occupation Housewife, R/o Mission Chowk, Kedarpur, Ambikapur, Post Ambikapur, District Surguja, Chhattisgarh

---- Respondents

For appellant	: Shri Goutam Khetrapal, Advocate
For respondents	: Shri Jitendra Shrivastava, Advocate

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****17.02.2017**

It is submitted on behalf of the respondents that the claimants may be granted opportunity to proceed before Consumer Forum for the cause regarding compensation available

under the law and the award may be set aside. However any relief for the cause before the consumer forum be appreciated on its merits without being influenced with any of the observation made in the award dated 12.5.2016.

2. Learned counsel for the appellants made no objection for the same.

3. As prayed, the instant appeal is hereby allowed and disposed.

4. Award of the concerned Tribunal dated 12.5.2016 is hereby set aside. It is further observed that the respondents may raise the issue before the Consumer Forum available under the law and if the respondents approach to the consumer Forum, then the said forum shall dispose of the matter without being influenced with the appreciation of award dated 12.5.2016 on its merits and provisions of law as applicable in the said matter.

5. The instant appeal is disposed of with the aforesaid directions.

Sd/-

(Chandra Bhushan Bajpai)
JUDGE