

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Misc. Appeal (C) No. 317 of 2006**

Manager, the Oriental Insu. Company Ltd. Kachhari Chowk, Raipur,
District Raipur (CG)

---- Appellant**Versus**

1. Om Prakash Dhruw S/o Mant Ram Dhruw, aged 24 years, R/o village Pangaon, Tehsil & P.S. Baloda Bazar, District Raipur (CG)
2. Dilip Kumar S/o Shiv Kumar, aged 20 years, R/o village Dhandhani, P.S. Nawagarh, District Durg (CG)
3. Vardhman Kargo Carrier, T.P. Nagar, Tatibandh, Raipur, District Raipur (CG)

---- Respondents

For Appellant : Shri Ghanshyam Patel under instruction of Shri Abhishek Sinha, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****07/11/2017**

The challenge in the present appeal by the Insurance Company is to the award dated 11.05.2005 passed by the 2nd Additional Motor Accident Claims Tribunal, Baloda Bazar, District Raipur in Claim Case No. 105/2004. Vide the impugned award, the Tribunal has awarded a compensation of Rs. 25,000/- with interest @ 9% per annum from the date of application.

2. This Court is not inclined to entertain the appeal only on the ground that the amount involved in the instant case is too meagre an amount for challenging at this stage particularly when the appeal itself is more than 11 years old. Moreover, this Court also finds that there is no substantive evidence put forth by the Insurance Company to establish the breach of policy condition.

In addition, it also reveals that there were a couple of other appeals arising out of the same accident preferred by the Insurance Company which have also been dismissed by this Court.

3. Thus, the present appeal also fails and is accordingly dismissed.

**Sd/-
(P. Sam Koshy)
JUDGE**