

CR No.455 of 2017 (O&M)
Date of decision: January 23, 2017

Sunita Devi **...Petitioner**

Versus

Oriental Insurance Company **...Respondent**

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Ms. Sharmila Sharma, Advocate
for the petitioner.

JASPAL SINGH, J. (ORAL)

By virtue of the instant Civil Revision preferred under Article 227 of the Constitution of India read with Section 174 of Motor Vehicle Act, petitioner has sought *setting aside* of the impugned order dated 12th December, 2016 (Annexure P-1) passed by Motor Accident Claims Tribunal, Karnal, whereby, an execution application has been adjourned simply on the ground that appeal is pending before this Court.

However, it is the contention of learned counsel for the petitioner that there is no stay with regard to disbursement of the amount which is to be otherwise deposited by the Insurance Company. Since there is no stay granted by this Court, the Executing Court is required to pursue with the execution proceedings. Accordingly, order dated 12th December, 2016 is set aside. The Motor Accident Claims Tribunal, Karnal is directed to restore the application and proceed in accordance with law.

A copy of this order be sent for compliance to the said Court.

January 23, 2017
m. sharma

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned	:	Yes/No
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Whether Reportable : **Yes/No**