

NAFR

HIGH COURT OF CHHATTISGARH BILASPUR**M. A. (C) No. 642 of 2014**

(Arising out of award dated 25.03.2014 passed in Claim Case No.14 of 2011 by the First Additional Motor Accident Claims Tribunal, Raigarh, Chhattisgarh)

1. Jagdamba Enterprises, Through Amit Agrawal, aged about 40 years, S/o Shri Balmukund Agrawal, R/o Sattigudi Chowk, Police Station Kotwali, Raigarh, Civil and Revenue District Raigarh, Chhattisgarh.
2. Ibrahim Chikwa S/o Shri Jagannath Chikwa aged about 24 Years, At Present R/o Jorapali, Police Station Kotra Road, Raigarh, Permanent R/o Village- Jharmuda, Police Station Farsabahr, Civil and Revenue District Raigarh, Chhattisgarh.

---- Appellants**Versus**

1. Sunil Kumar Agnihotri @ Banti S/o Shri Ramprakash Agnihotri, Aged About 31 Years, occupation Service (Munshi) R/o Subhash Nagar, Kotra Road, Raigarh, Police Station Kotwali, Raigarh, Tahsil, Civil and Revenue District Raigarh, Chhattisgarh.
2. The Manager, Oriental Insurance Company, Branch Office- Itwari Bazar, Raigarh, Civil and Revenue District Raigarh, Chhattisgarh.

---- Respondents

For Appellants	: Shri Roop Naik, Advocate
For Respondent No.1	: Shri Rajesh Ranjan Sinha, Advocate
For Respondent No.2	: Shri Hanuman Prasad Agrawal, Advocate

Hon'ble Shri P. R. Ramachandra Menon, Chief Justice
Hon'ble Shri Parth Prateem Sahu, Judge

Judgment on Board**Per Parth Prateem Sahu, Judge****19.08.2020**

1. Appellants/owner and driver of the Truck (Dumper) bearing registration No.CG-13/ZC/0523 filed this appeal under

Section 173 of the Motor Vehicles Act, 1988 (hereinafter referred to as 'M.V. Act') challenging the award dated 25.03.2014 passed by the First Additional Motor Accident Claims Tribunal Raigarh, Chhattisgarh (hereinafter referred to as 'Claims Tribunal') in Claim Case No.14 of 2011.

2. This appeal was filed on 24.06.2014, thereafter, it was listed for default of not making the mandatory deposit as provided under the first proviso to Section 173(1) of the M.V. Act.
3. Shri Roop Naik, learned counsel for the appellants sought number of times to make good the default, but till date, receipt showing the mandatory deposit as provided under Section 173 of the M.V. Act has not been filed before this Court.
4. In view of above, the appeal is not maintainable and is accordingly dismissed.

Sd/-

(P. R. Ramachandra Menon)
Chief Justice

Sd/-

(Parth Prateem Sahu)
Judge