

IN THE HIGH COURT OF JHARKHAND AT RANCHI

M.A. No. 219 of 2020

IFFCO Tokio General Insurance Co Ltd through
Vijay Kumar Devgan, Deputy General Manager,
Ranchi.....

Appellants

Versus

Hemanti Devi & Ors.....

Respondents

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Coram: Hon'ble Mr. Justice Ananda Sen

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For the Appellants

: Mr. Bibhash Sinha, Advocate

For the Respondents

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3/07.09.2021 Mr. Bibhash Sinha, learned counsel for the appellant submits that he has already filed necessary typed copies as per the office note.

I.A. No. 4377 of 2020

This interlocutory application has been filed under Section 5 of the Limitation Act, to condone the delay, occurred in filing this appeal. The grounds to condone the delay have been mentioned in this interlocutory application.

Considering the reasons, which have been mentioned in the interlocutory application and in view of the Order of the Hon'ble Supreme Court passed in "*Suo Motu Writ Petition (Civil) No. 3 of 2020*", delay, if any, occurred in filing this appeal is hereby condoned.

I.A. No. 4377 of 2020, stands disposed of.

I.A. No. 4320 of 2021

This interlocutory application has been filed to stay the certificate case bearing No. 17 of 2021-2022, pending before the District Certificate Officer, Bokaro.

Counsel for the insurance company submits that notice needs to be issued as the claimants are initiating a proceeding to recover the amount under the Award. He submits that considering the aforesaid fact appropriate order may be passed to protect the insurance company.

Considering the aforesaid fact, issue notice to the respondent nos. 1 to 8, for which requisite etc. under registered cover with A/D as well as through Ordinary process, must be filed within three weeks.

During pendency of this interlocutory application and main miscellaneous appeal, the insurance company is directed to deposit the principal awarded amount of Rs. 12,19,132/- with the Registrar General of this Court within three weeks. The said amount should be kept in an interest bearing account.

The claimants will be at liberty to file an application seeking

withdrawal of the said amount.

On production of receipt before the District Certificate Officer, Bokaro, giving information about deposition of such amount before the Registrar General of this Court, the District Certificate Officer, Bokaro, is directed not to proceed in Certificate Case No. 17 of 2021-2022.

(Ananda Sen, J)