

ANNEXURE 2.

31  
2/1/18

AKHILESH TRIPATHI

Advocate  
Chamber No. 17,  
High Court, Allahabad

Office:- F-1, Harshita Apartment,  
Nawab Yusuf Road  
(Near Krishna Hotel),  
Civil Lines, Allahabad  
Mob. 9935964832

F.A. F.O. - 434 OF 2010  
CIVIL MISG. WRIT PETITION NO. 434 OF 2010

District - ..... Varanasi .....

Shri Dhani Mishra

Versus

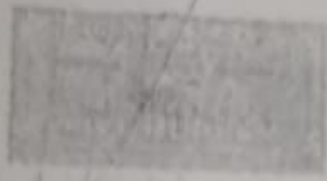
Smt. Neelam Singh and Others.

Copy of order dated

Copy of Stay Application

02-01-18  
2401-18  
2401-18





29

IN THE HIGH COURT OF JUDICATURE AT ALLAHABAD

Civil Misc. Stay Application No. 1095 of 2010.  
(Under Section 151, C.P.C.)

On behalf of

Shiv Dhani Mishra. -----Applicant.

IN  
First Appeal From Order No. 434 of 2010.  
(Under Section 173, Motor Vehicles Act.)

**DISTRICT: VARANASI**

Shiv Dhani Mishra S/o Late Ram Adhar Mishra, R/o  
Village and Post- Bhaithauli, P.S.- Cholapur, District-  
Varanasi.

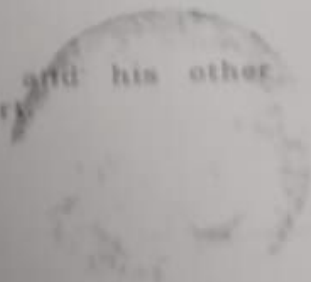
-----Claimant-Appellant.

Versus

1. Smt. Neelam Singh W/o R.B. Singh, Manager, Gyan Deep English School, R/o Natiniya Dai Khushhal Nagar, Sector-A, P.S.- Shivpur, District- Varanasi. (Owner of Vehicle No.U.P.65-A.M./8733).
2. Krishna Kumar Mishra alias Laldhar Mishra S/o Sri Haushila Mishra, R/o Bhaithauli, P.S.- Cholapur, District- Varanasi. (Driver of Hero Honda C.D. 100 Registration No.U.P.65-S/0021).
3. The Oriental Insurance Company Limited, Varanasi.
4. Dhanushdhari Yadav S/o Ghurahoo Yadav, R/o Kakalpur (Ayar), P.S.- Cholapur, District- Varanasi (Driver of Vehicle No.U.P.65-A.M./8733).
5. The New India Assurance Company Limited, Lahurabir, Varanasi.

-----Defendant/Respondents.

The Hon'ble the Chief Justice and his other  
companion Judges of the aforesaid Court



The humble application on behalf of the applicant above named MOST RESPECTFULLY SHOWETH as under:

1. That, in view of the facts and circumstances mentioned in the accompanying affidavit, it is expedient in the interest of justice that the interim relief prayed by appellant in this application may be allowed to the appellant/applicant, so that justice may be done, otherwise the applicant will suffer irreparable loss.

**P R A Y E R**

It is, therefore, Most Respectfully Prayed that this Hon'ble Court may graciously be pleased to allow this application and stay the effect and operation of impugned Judgment/order dated 24.11.2009 passed by Motor Accident Claim Tribunal/ Addl. District Judge/Special Judge (E.C. Act), Varanasi in Motor Accident Claim Petition No.212 of 2007 (Shiv Dhani Mishra Vs. Smt. Neelam Singh and others) and the amount of compensation as awarded by Judgment and order dated 24.11.2009 may kindly be enhanced to the tune of Rs.12,28,000/- as claimed by appellant, during pendency of the above noted appeal before this Hon'ble Court, so that justice may be done, and/or to pass such other further orders as this Hon'ble Court may deem fit and proper under the facts and circumstances existing in the present case.

Date:

(G.K. Gupta)  
Advocate,  
Counsel for the Appellant.  
Chamber No.31-A, High Court,  
Allahabad

*Compared by  
P. K. Singh  
24.1.18*

**TRUE COPY**

NA/22  
24/01/2018

Assistant Registrar  
Copying Stamp 'D' Department  
High Court, Allahabad

