

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Appeal No.554 of 2011

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The United India Insurance Company Ltd Bihar Sharif through Sri Pranay Kumar duly constituted Attorney United India Insurance Company Ltd. Regional Office 3rd Floor Chanakya Complex B.C. Patel Road P.O. G.P.O., P.S. Sachiwalaya, Patna, District-Patna.

.... Appellant/s

Versus

1. Amrendra Kumar, son of Sri Rama Nand Kumar, resident of Village-Jaitipur, P.O. Kowa, P.S.-Hilsa, District-Nalanda (Owner of the tractor)
2. Mantu Kumar, son of Sri Lakhan Prasad Yadav, resident of Deyalpur, P.S.-Hilsa, District-Nalanda (Opposite party no.2).
3. Tetariya Devi, wife of Sri Jogi Bind (Claimant No.1)
4. Jogi Bind, son of late Sukhu Bind (Claimant No.2)
Both residents of village Dwarika Bigha (Gagendra Bigha) P.O. Bhokala P.S. Hilsa, District- Nalanda

.... Respondents

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Appearance :

For the Appellant/s : Mr. Ashok Priyadarshi, Advocate
For the Respondent/s : Mr. Rudal Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE AKHILESH CHANDRA

ORAL JUDGMENT

Date: 09-01-2015

Heard the parties.

2. This is an Appeal preferred by the United India Insurance Company Limited against the compensation awarded by the Motor Vehicles Claims Tribunal –cum- Additional District Judge, Fast Track Court No. V, Nalanda at Bihar Sharif vide judgment dated 11.05.2011 in Claim Case No. 47 of 2008.

3. After some arguments, in view of driving licence of the driver, opposite party no.2, issued from the DTO, Nalanda but Investigating Officer's investigation and report Exhibit-A is based on the investigation at DTO, Patna, learned counsel seeks

permission to withdraw this Appeal with an undertaking to satisfy the award as awarded vide judgment dated 11.05.2011 by the Motor Vehicles Claim Tribunal –cum- Additional District Judge, Fast Track Court No. V, Nalanda at Biharsharif in Claim Case No. 47 of 2008 within a month from today and, further to take proper action against the officials and concerned authorities.

5. Permission is granted.

6. Accordingly, this Appeal is disposed of as withdrawn with the aforesaid undertaking.

7. It is further directed to remit back the statutory amount to the Claim Tribunal for further needful.

(Akhilesh Chandra, J)

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