

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.942 of 2010

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1. Smt. Suma Devi, wife of late Jai Ram Pandit
2. Deo Nandan Pandit, son of late Jai Ram Pandit
3. Rahul Pandit, son of late Jai Ram Pandit
4. Punam Kumar, m/d/o late Jai Ram Pandit
all resident of village- Bhikhani Bigha, P.O.-Onda, P.S.-Rauhi, District-Nalanda
.... Appellant/s

Versus

1. Pankaj Kumar, late Kamta Prasad, owner of truck no. BR-14G-6507, village-Benar (Kaila), P.O.+ P.S. Sare, District –Nalanda
2. The Oriental Insurance Company Ltd. through the Branch Manager, Branch Office, Patna-Ranchi road Murarpur, Biharsharif, District –Nalanda
.....opposite parteis

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Appearance :

For the Appellant/s : Mr. Rabi Bhushan Prasad no. 1, Advocate
For Respondent no.1 : Mr. Rabindra Kumar, Advocate
For respondent no.2 : Mr. Bimlesh Kumar Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE AKHILESH CHANDRA

ORAL JUDGMENT

Date: 11-02-2015

Heard the parties.

2. This is an Appeal preferred against judgment and Award dated 31.07.2010 and 06.08.2010 respectively passed by 1st Additional District Judge-cum-Motor Vehicle Accident Claim Tribunal, Nalanda at Biharsharif in Claim Case No.74 of 2004 seeking enhancement of the compensation.

3. After some arguments, learned counsel for the appellants confine in his submission only on the point that Claim Tribunal below has awarded interest from the date of the order whereas it should have been from the date of filing of the application.

4. Finding substance in the submission, the Appeal stands disposed of with simple modification in the judgment and Award dated 31.07.2010 and 06.08.2010 respectively passed by 1st Additional District Judge-cum-Motor Vehicle Accident Claim Tribunal, Nalanda at Bihar Sharif in Claim Case No.74 of 2004 to the extent of the interest accruing and payable from the date of filing of the application not from the date of order.

(Akhilesh Chandra, J)

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