

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3023 of 2013

United India Insurance Company Limited, Divisional Office, Dr. R.P. Road, Near Shahid Chowk, Bhagalpur Through The Manager And Constituted Attorney, Regional Office, United India Insurance Company Limited, 3rd Floor, Chanakya Commercial Complex, R' Block, Patna

.... Petitioner/s

Versus

1. Mahakant Jha @ Munar Jha S/O Lt. Jashodhar Jha R/O Village/P.S.- Bangaon, Distt.- Saharsa
2. Manju Devi W/O Mahakant Jha R/O Village/P.S.- Bangaon, Distt.- Saharsa

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Durgesh Kumar Singh, Adv.

For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE V. NATH

ORAL JUDGMENT

Date: 17-12-2015

Heard learned counsel for the petitioner and the learned counsel appearing for the claimant - respondents.

This application has been filed against the order dated 08.10.2012 passed by the Motor Vehicle Claims Tribunal in M.V. Ex Case No. 01 of 2010 whereby the tribunal has directed for payment of the remaining amount to the respondents.

Learned counsel appearing for the petitioner and the respondents have jointly submitted before this Court that the respondents are entitled for Rs. 57,855/- to be paid by the petitioner which is the only remaining amount of interest. Learned counsel for the parties have also agreed that this amount of Rs. 57,855/- is

payable to the respondents after deduction of the TDS in accordance with Section 194A (ix) of the Income Tax Act. The learned counsel for the petitioner has submitted that the amount after deducting the applicable TDS from Rs. 57,885/- shall be paid to the respondents within eight weeks from today by depositing it in the tribunal. Learned counsel for the respondents has accepted the aforesaid offer.

In view of the aforesaid stand and agreement between the petitioner and the respondents, this writ application is disposed of with direction to the petitioner to pay the amount of interest after deducting the applicable TDS from Rs. 57,885/- to the respondents within eight weeks from the date of this order by depositing it in the tribunal in M.V Ex Case No. 01 of 2010 and the impugned order is accordingly modified to that extent.

The writ application, thus, stands disposed of with direction.

(V. Nath, J)

Prakash/-

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