

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Appeal No.586 of 2007

Janardan Sharma, Son of Late Anup Lal Sharma, Resident of Village-Chirouri,
P.S.-Chousa, District-Madhepura (Owner of Tractor No. B.R.IIA 7419.

.....Opposite Party No. 1.....Appellant

Versus

1. Rajeev Sah, Son of Mahendra Sah, Resident of Village-Chirouri, P.S.-Chausa,
District-Madhepura.

.....Claimant..... Respondent

2. Budul Sharma, Son of Radhe Sharma (Driver), Resident of Village-Chirouri,
P.S.-Chausa, District-Madhepura.

.....Opposite Party No. 2.....Respondent

Appearance :

For the Appellant/s : Mr. Ashok Kumar, Advocate

For the Respondent/s : Mr. Shekhar Kumar Singh, Advocate

Mr. Pankaj Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE AKHILESH CHANDRA

ORAL JUDGMENT

Date: 09-01-2015

Heard the parties.

2. This is an appeal preferred against the
Judgment and Award respectively dated 18/11/2006 and
02/01/2007 passed by learned District Judge-Cum-M.V.
Claim Tribunal, Madhepura in M.V. Case No. 01 of 2004.

3. After some arguments, in view of earlier
appearance before the Claim Tribunal Below by the appellant

and not filing written statement in spite of directions, learned counsel appearing on behalf of the appellant seeks permission to withdraw this appeal.

4. Permission is accorded.

5. Accordingly, this appeal stands disposed of as withdrawn.

6. The appellant is directed to satisfy the Award, as imposed by the Claim Tribunal Below, within a month, failing which, the appellant may be liable to pay additional amount of Rs. 1,00,000/- (Rupees One Lac) and the entire amount of Award with up-to-date interest + (plus) the additional amount of Rs. 1,00,000/- (Rs. One Lac), which may be realized from the personal property of the appellant. Due payment shall be made to the claimant and the rest amount shall lie with the State.

(Akhilesh Chandra, J)

Praveen-II/-

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