

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Miscellaneous Appeal No.79 of 2012**

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Nagia Devi, Wife of Bindeshwar Yadav @ Barhan Yadav, Resident of Village-  
Chordahan, P.O.-Bhalua, P.S.-Chauparan, District-Hazaribagh, at present Village-  
Barwadih (Barandi), P.O.-Bhalua, P.S.-Barachatti, District-Gaya.

.....Applicant/Appellant

Versus

1. M/S Bajaj Allianz General Insurance Co. Ltd. through its Manager Legal,  
Poddar Court Gate No. 3, 7<sup>th</sup> Floor 18 Rabindra Sarni Kolkata, W.B.-700001.
2. Mr. Raj Giri, Son of Sri Mangal Giri, Resident of Flat No. 29, Plot No.-D-8,  
Sector-6, Delhi-85.

.....Opposite Parties/Respondents

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**Appearance :**

For the Appellant/s : Mr. Ravindra Kumar Sinha, Advocate

For the Respondent/s : None

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**CORAM: HONOURABLE MR. JUSTICE AKHILESH CHANDRA**

**ORAL JUDGMENT**

**Date: 15-01-2015**

This Appeal is brought under the heading “**For Orders**  
**(On Petitions)**”.

**Interlocutory Application No. 4434 of 2012**

Heard learned counsel appearing on behalf of the  
appellant.

2. This Appeal has been preferred by the appellant  
against the Judgment and Award, respectively, dated 26<sup>th</sup>  
March, 2011 and 4<sup>th</sup> May, 2011, passed by Sri Rudra

Prakash Mishra, the learned 4<sup>th</sup> Additional District Judge-Cum-Motor Vehicle Accident Claim Tribunal, Gaya in M.A.C. Nos. 136 of 2010 / 08 of 2009, seeking enhancement in compensation.

3. On perusal of the record it appears that an application seeking certified copy of the Judgment and Award has been filed on 13<sup>th</sup> December, 2011 which was delivered on 20<sup>th</sup> December, 2011 and then the Appeal was filed on 30<sup>th</sup> January, 2012. The interlocutory application was filed on 13<sup>th</sup> July, 2012 simply stating that the appellant has no knowledge about preparation of the Award earlier and when she (appellant) could come to know about the same on 12<sup>th</sup> December, 2011 immediately applied for copy of the same.

4. Such explanation is not at all acceptable. Accordingly, finding no merit, the Interlocutory Application No. 4434 of 2012 is hereby dismissed; consequently, the Appeal.

**(Akhilesh Chandra, J)**

Praveen-II/-

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