

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5808 of 2016

Lucy Devi

.... Petitioner/s

Versus

Chhote Lal Sah @ Lakshmi Sah & Ors

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Suneil Kumar Thakur

For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 26-07-2016

Heard learned counsel, Mr. Sunil Kumar Thakur,
appearing for the petitioner.

2. Perused the order dated 29.01.2016 passed by the
Motor Accident Claim Tribunal, Samastipur in Claim Case No.
176 of 2011.

3. It appears that on the basis of compromise with the
insurance company in the one side and the petitioner and parents
of the husband of the petitioner on the other side, Rs. 4,05,000/- is
deposited by the insurance company in the Motor Vehicle
Accident Claim case. Now the dispute between the parties i.e.
present petitioner and her parents-in-law cropped up regarding the
share in the amount deposited by the insurance company. By the
impugned order, the court below directed the parties to open a
joint account. If joint account will be opened and the amount will
be deposited in the joint account, then this dispute will not be

resolved. Therefore, the petitioner may file the application in the court below itself. If such application is filed, the court below shall decide this matter as to what amount will be given to the petitioner and what amount will be given to the parents-in-law according to law out of the amount deposited. Thereafter the amount shall be disbursed.

4. Since by the impugned order, no rights have been decided, there is no question of interference in exercise of supervisory jurisdiction arises. Thus, this writ application is disposed of with the direction to the petitioner to approach the court itself as stated above.

(Mungeshwar Sahoo, J)

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