

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3217 of 2010

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Kifayat Monia @ Jamadar Nonia, son of Late Sukar Nonia, being the legal guardian and father of Raja Nonia (Minor), resident of village Akhalashpur, P.O. and P.S. Bhabhua, District Kaimur (Bhabhua)

.... Petitioner/Claimant-Appellant- Petitioner
Versus

1. Markanday Singh, son of Sarju Singh, resident of village Dihara, P.O. Bhabhua, Dist. Kaimur (Bhabhua)
2. Shri Niwas am @ Bhulan Ram, son of Haridya Narain Ram @ Pehdul Ram (Driver of the concern vehicle), resident of village Dihara, P.S. Bhabhua, Dist. Kaimur
3. National Insurance Company, Branch at Sasaram

.... Respondents/Opposite Parties

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

3 17-02-2016 As directed, Mr. Purnanand Upadhaya, Chief Regional Manager of the National Insurance Company, is personally present in Court.

It is submitted by Mr.Ashok Priyadarshi, Advocate that on account of certain confusion the authority to receive was not effective but now fresh order has been passed by the Chief Regional Manager, who has authorized him to receive any copy on behalf of the National Insurance Company for the cases pending/to be filed in the High Court.

It is submitted by learned counsel for the petitioner that due to failure to properly understand the order dated 2.12.2009 passed in MJC No. 1891 of 2009 instead of serving copy to learned counsel for the opposite party No.3, National Insurance Company he had filed requisites of notices which led to the

dismissal of the said application due to non-compliance of the peremptory order. It is submitted that the same has now been served upon learned counsel for the Insurance Company, which fact is admitted by learned counsel for the Insurance Company.

In the aforesaid view of the matter, MJC No. 1891 of 2009 is directed to be restored to its original file.

The restoration application is, accordingly, allowed.

The personal appearance of the Chief Regional Manager is dispensed with.

(Ramesh Kumar Datta, J)

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