

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1510 of 2016

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1. Dr. Ajay Kumar Agarwal son of Late Dr. Sishupal Ram resident of Mohalla - 93A, R.K. Avene Rajendra Nagar, P.S. Kadamkuan, Patna - 800016 (Vehicle registered in his name).

.... Appellant/s

Versus

1. Mritunjay Kumar @ Mritunjay Sharma son of Sachida Nand Singh
2. Sanny Kumar son of Mritunjay Kumar alias Mritunjay Sharma
3. Fruty Kumari daughter of Mritunjay Kumar alias Mritunjay Sharma,
Petitioners Nos. 2 and 3 are minor child and who are under guardianship of their father Mritunjay Kumar @ Mritunjay Sharma.
4. Binod Kumar Paswan son of Sukhdeo Paswan resident of Mohalla - Road No. - 6, Rajendra Nagar, P.S. - kadamkuan, Patna - 800003 (Driver of the Alleged Vehicle).

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sujeet Kumar Sinha

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR SAHOO
ORAL ORDER

2 22-12-2016 Learned counsel for the petitioner submitted that while rejecting the application of the petitioner, in the last portion of the order dated 09.09.2016, the claim to owner, has held that if any order is passed against defendant no.1- petitioner for payment of compensation then after payment of the same, may realize the same from the person, who has been given the vehicle on lease by this petitioner.

In view of the above findings of the court that the vehicle, in question, is registered in the name of the petitioner, whether the vehicle is in lease of 3rd person, is a question, that



may be decided finally in the claim case.

So far observation of the Court that if any order will be passed against the petitioner, he will be at liberty to realize the same from the person. At this stage, therefore, the application filed by the petitioner for striking out the name of the petitioner from the vehicle is not tenable.

Thus, I find no reason to interfere with the impugned order in exercise of supervisory jurisdiction under Article 227 of the Constitution of India.

Accordingly, this miscellaneous application is dismissed.

(Mungeshwar Sahoo, J)

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