

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8763 of 2017

=====

Raja Ram Singh, son of Dhurb Narayan Singh, resident of village-Nawadih, P.S.-
Rohtas, District- Rohtas at Sasaram.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Home Department, Bihar, Patna.
2. The District Election Officer -cum-District Magistrate, Rohtas.
3. The Superintendent of Police, Rohtas.
4. The District Transport Officer, Rohtas.
5. The Regional Transport Officer, Aurangabad
6. The Sub Inspector of Police, Sadar Muzaffarpur.
7. The Election Commission, Bihar, Patna.

.... Respondents

=====

Appearance :

For the Petitioner/s : Mr. Bindeshwar Prasad Singh, Adv.

For the Respondent/s : Mr. Md. Harun Quareshi, A.C. to S.C.-1

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 22-09-2017

Heard the parties.

In this case, the petitioner is making claim of Rs.8 lakhs with interest on account of loss and damages of his vehicle bearing registration no.BR-26F/5661. The said vehicle was hired and used in 2015 Vidhan Sabha election, but the same met with an accident, which was registered as Muzaffarpur (Sadar) P.S. Case no.518 of 2015.

As per the claim of the petitioner in terms of the policy, the Insurance Company is not liable to pay the damage, which the



petitioner is entitled to receive the amount on account of accident of the vehicle and that loss has to be compensated by the State Authority.

The Counter Affidavit has been filed by the State, wherein plea has been taken that if the petitioner has not taken any amount from the Insurance Company the State is ready to compensate the loss, which has been incurred by the petitioner. The loss has been assessed by the Motor Vehicle Inspector for Rs.73,800/-.

As the claim of the petitioner is very high, whereas the assessment has been made by the Motor Vehicle Inspector is on very lower side, let the vehicle be sent to the authorized dealer and after repairing whatever the cost incurred will be borne by the State. The petitioner will also be entitled to the hire charge, which the petitioner is entitled for the period his vehicle was taken for election duty. As the petitioner has suffered a lot, the hire charge will carry simple interest at the rate of 8% per annum.

With the aforesaid observations and directions, this writ application is disposed of.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A.
Uploading Date	03.10.2017
Transmission Date	N/A.

