

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

**Miscellaneous Appeal No.27 of 2014**

- =====
1. The Oriental Insurance Company Ltd., Bhagalpur
  2. The Oriental Insurance Company Muzaffarpur Both Through Sri V.K. Jha Dy. Manager And Duly Constituted Attorney The Oriental Insurance Company Ltd. Regional Office Pir Mohani Kadam Kuan, Patna

.... .... Appellant/s

Versus

1. Raj Kishore Dubey @ Dwivedi Son Of Late Biadyanath Dubey Resident Of Village Vithaha Nijamat, P.O. Vithaha, P.S.- Bairiya, Bettiah West Champaran
2. Ramanand Yadav @ Sonelal Yadav Son Of Sukhdev Yadav Resident Of Village And P.O. Tandawanandpur, P.S. Nairiya District West Champaran
3. Md. Murtaza Son Of Md. Usman Son Of Sri Mohuee Yadav Resident Of Village, P.O. And P.S. Chanpatia, District- West Champaran

.... .... Respondent/s

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**Appearance :**

|                      |   |                                 |
|----------------------|---|---------------------------------|
| For the Appellant/s  | : | Mr. Ashok Priyadarshi, Advocate |
| For the Claimant     | : | Mr. Madan Mohan, Advocate       |
|                      |   | Mrs. Pallavi Pandey, Advocate   |
| For the Respondent/s | : | Mr. Sanjay Kumar-7, Advocate    |

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**CORAM: HONOURABLE THE CHIEF JUSTICE**  
**ORAL JUDGMENT**

**Date: 13-07-2017**

This is an appeal filed by the Insurance Company challenging the quantum of award passed by the Tribunal, Banka in vide award and judgment dated 18<sup>th</sup> of September, 2013 passed by the Motor Vehicles Claims Tribunal-cum- Ad hoc Addl. District Judge, Banka in Claim Case No.69 of 2011. Apart from the fact that the Insurance Company in a proceeding under Section 173 is not entitled to challenge the quantum, on going through the award passed it is seen that after due analysis of the documents and material that came on record, the compensation in question has been assessed and



I see no reason to make any indulgence.

The statutory amount deposited be refunded back to the Insurance Company as the award has been satisfied.

**(Rajendra Menon, CJ)**

K.C.jha/-

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|-------------------|-----------|
| AFR/NAFR          | NAFR      |
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