

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Appeal No.209 of 2006

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Divisional Manager, United Indidia Insurance Company Limited at Akharaghat
Road, Muzaffarpur

.... Appellant/s

Versus

1. Balva Devi, wife of Late Meghnath
2. Bajrang Bali, son of Late Meghnath minor
3. Rajmani Kumari, daughter of Late Meghnath Minor

The applicant-respondent no. 2 and 3 are minor and living under the guardianship of their mother applicant No. 1(Resp.) all of Village & P.O.-
Teliyatu, P.S-Pathratu, Hazaribag, Jharkhand

4. Prem Chandra Yadav, son of Sri Shiv Prasad Yadav at Kedamt, P.O.-
Deochandra, P.S.-Barahi, District-Hazaribag(Jharkhand)

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ashok Kumar, Adv

For the Respondent/s : Mr. Mukesh Prasad Singh, Adv

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL JUDGMENT

Date: 20-07-2017

The only ground canvassed by the Insurance Company in this appeal filed challenging the award and judgment passed by the VIIIth Additional District Judge-cum-Motor Accident Claim Tribunal, Muzaffarpur in Claim Case No. 151 of 2004 is with regard to jurisdiction of the Tribunal in Muzaffarpur as the accident in question took place in the District of Hazaribagh in the State of Jharkhand.

It has been settled by the Supreme Court in the case of Malti Sardar versus National Insurance Company Limited and Others (2016) 3 SCC 43 and as the Tribunal held jurisdiction in view



of the aforesaid legal principle, no case is made out for interference on this count. As the award passed by the Tribunal is based on evidence, I find no error warranting any reconsideration.

Accordingly, the appeal stands dismissed.

It is reported that entire amount in question has been deposited in pursuance to the order passed by this Court in M.J.C. No. 702 of 2008. Office to transmit the entire amount to the Tribunal for disbursement of the claim. The statutory amount, be also transmitted to the Tribunal to be paid to the claimant after adjustment.

(Rajendra Menon, CJ)

Shageer/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27/07/2017
Transmission Date	NA

