

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

**Letters Patent Appeal No.2217 of 2015  
IN  
Civil Writ Jurisdiction Case No. 12222 of 2015**

=====

1. Vijay Kumar Jaiswal Son of Late Krishna Prasad Jaiswal resident of Diwaan Mohalla, Hamam Path, Gurhatta, P.S. Khajekalan, Patna City, District - Patna.

.... .... Appellant/s

Versus

1. The Chairman and Managing Director Bank of Baroda, Baroda Corporate Centre, Mumbai.
2. The General Manager (HRM) Mumbai B.C.C. Mumbai Bank of Baroda.
3. The General Manager, Bank of Baroda, Bihar, Orissa and Jharkhand Zone (BOJ), West Boring Canal Road, Patna.
4. The Deputy General Manager, B.O.B. Patna Region, West Boring Canal Road, Patna.
5. The Assistant General Manager, B.O.B. H.R.M. Patna Zone, West Boring Canal Road, Patna.
6. The Senior Manager, H.R.M. BOB, West Boring Canal Road, Patna.
7. The Manager, Office Administration, B.O.B. Zonal Office, West Boring Canal Road, Patna.
8. The Manager, Office Administration B.O.B. Regional Office, West Boring Canal Road, Patna.
9. The State of Bihar through D.G.P., Bihar.
10. The Principal Secretary, Health Services, Bihar.

.... .... Respondent/s

=====

**Appearance :**

For the Appellant/s : Mr. Amarendra Kumar Singh  
For the Respondent/s : None

=====

**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI**  
**and**  
**HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL JUDGMENT**

**(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)**  
**Date: 06-02-2017**

Delay of 19 days is condoned for the reasons indicated in

I.A. No.9614 of 2015. The I.A. is allowed.

The matter is thereafter taken up on merits.

The writ was filed by the appellant seeking compensation to the tune of 23 lacs because he has suffered disability to the extent of 15% while on official duty of the Bank when the vehicle in



question met with an accident. The grievance of the appellant is that no FIR was lodged by any person or authority and because of non- institution of the FIR by the Bank, the appellant or the person accompanying the appellant, including the doctor, who treated the appellant, he cannot get remedy under Motor Vehicles Claim Tribunal. The Court has considered all the aspect of the matter and in view of the facts as well as the dispute, refused to order any compensation but gave liberty to the appellant to institute a civil suit seeking compensation and declaration.

The Appeal Court does not find any illegality with the order of the learned Single Judge as such nor is it pointed out. However, this Court can further expand the observation of the learned Single Judge by saying that the appellant can invoke the jurisdiction of any other forum besides the civil court, if he feels that his right and claim can be entertained and relief can be granted by such forum.

The appeal is otherwise dismissed being devoid of merit.

**(Ajay Kumar Tripathi, J)**

**(Nilu Agrawal, J)**

sk

|                   |           |
|-------------------|-----------|
| AFR/NAFR          | NAFR      |
| CAV DATE          | NA        |
| Uploading Date    | 07.2.2017 |
| Transmission Date | NA        |

