

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Appeal No.509 of 2015

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1. Divisional Manager, National Insurance Company Ltd. Patna through Sri Arun Kumar A.O. cum and Duly constituted Attorney National Insurance Company Ltd. Regional office 4th Floor Sone Bhawan B.C. Patel Road, P.O.- G.P.O., P.s. Sachiwalaya, Patna, District- Patna

.... Appellant/s

Versus

1. Sri Pradeep Kumar Barnawal son of Late Kamta Prasad Barnwal Resident of Rita Sada Dharahara Kothi Jagat Narayan Road P.O. and P.S.- Kadam Kuan, Patna District- Patna
2. Ranjit Kumar son of Sri Surendar Pd. Singh, Ananayay Enterprises Nagar Palika District Begusarai
3. Manoj Kumar Singh son of Ram Balak Singh Resident of village Rajaura District- Begusarai

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ashok Priyadarshi, Advocate

For the Respondent/s : Mr.

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date: 04-07-2017

In pursuance to the order dated 1.7.2017, all concerned appeared and learned counsel for the respondent made a statement that the respondent would be satisfied if the award passed by the Tribunal is modified and instead of benefit of compensation of Rs.31,92,994/- with interest is reduced to Rs.25,00,000/- along with interest as ordered by the Tribunal on the aforesaid amount of Rs.25,00,000/-.

Learned counsel for the Insurance Company, the appellant, on instructions from the officers, agreed to the same. This



Court also finds that the aforesaid agreement between the parties is reasonable, is in accordance with law and can be accepted.

Accordingly, this appeal is disposed of as agreed to by the parties in the following terms:

The amount awarded by the Tribunal stands modified and the Insurance Company shall now pay to the claimant a sum of Rs.25,00,000/- with interest at the rate of 6 % *per annum* as ordered by the Tribunal in full and final settlement of all claims arising out of the accident in question.

On the aforesaid amount being paid with interest, the claimant will not raise any claim from the Insurance Company.

The parties also agreed that the sum of Rs.25,000/- deposited by the Insurance Company in this Court be remitted to the court below/Tribunal and after deducting the aforesaid amount, the Insurance Company will pay the remaining amount within a period of 45 days from the date of receipt/production of a copy of this order.

(Rajendra Menon, CJ)

K.C.jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	7.7.2017
Transmission Date	N/A

