

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.4202 of 2016**

**In**  
**MA 827 of 2011**

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Geetakuer, W/o Late Brij Kishore Singh @ Munna Singh. resident of  
Village - Jigani, P.S. - Bhabua, District - Kaimur (Bhabua).

.... .... Petitioner

Versus

1. The State of Bihar, through the Collector, Kaimur , Bhabua, Bihar.
2. The New India Assurance Company G.T. Road, Ganesh Market, Sasara (Rohtas).
3. Abhimanyu Singh S/o Late Awadhesh Singh resident of Village - Jigani, P.S. - Bhabua, District - Kaimur (Bhabua).

.... .... Respondents

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**Appearance :**

For the Petitioner/s : Mr. Prakritita Sharma, Adv.

For the Respondent/s : Mr. Ajay Kumar Rastogi, AAG-10

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**ORAL ORDER**

3      26-07-2017                      Heard learned counsel for the parties.

The present application has been filed for clarification of the judgment dated 27.07.2015 passed in Miscellaneous Appeal No.827 of 2011 having been stated that as the order of this Court is not very clear with respect to earning of the victim-driver during the year 2001 as the victim was died during that period, on that account the computation of the compensation has been made taking into consideration Rs.2000/- per month.

Learned counsel for the petitioner has drawn the attention of this court to paragraph no.7 of the judgment, where



this court has clearly stated that the driver is a skilled employee would earn at least Rs.6000/- per month. But, in paragraph no.9 this Court has not been mentioned about in what manner the salary will be taken for computation of amount of compensation.

This Court is of the view that driver would not earn less than Rs.6000/- per month looking to the nature of duty of the driver as he is a skilled labour. Accordingly, the Tribunal is directed to recalculate the compensation amount treating the monthly salary of the victim-driver as Rs.6000/-.

Accordingly, the judgment dated 27.07.2015 is clarified to the aforesaid extent.

**(Shivaji Pandey, J)**

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