

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4302 of 2018

Mithilesh Kumar Gupta, S/o Late Chulhan Sah, Permanent resident of Village
- Nazarmeera, P.S. - Sonapur, District – Saran at present resident of Kutubpur
Dumari, P.S. - Hajipur Sadar, District - Vaishali.

... .. Petitioner

Versus

The Branch Manager, National Insurance Company Ltd. Yadav Chowk,
Hajipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar @ Alok Kr Shahi, Adv.
Ms. Archana Singh, Adv.
For the Respondent/s : Mr. Ashok Priyadarshi, Adv.

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 31-08-2018 Heard Mr. Archana Sinha, learned counsel for the

petitioner and Mr. Ashok Priyadarshi, learned counsel for the

respondent.

The present writ application has been filed for a
direction to the learned ADJ-II-cum-Motor Vehicle Claims
Tribunal, Vaishali at Hajipur to conclude the proceedings of
Claim Case No. 26 of 2011.

It is submitted by learned counsel for the petitioner
that the father of the petitioner, late Chulhan Sah died in a
Motor Vehicle accident on 18.11.2010, leading to filing of



Motor Vehicle Claim Case No. 26 of 2011, on 28.03.2011, before the learned ADJ-II-cum-Motor Vehicle Claims Tribunal, Vaishali at Hajipur. In the said case, respondent Insurance Company appeared on 30.05.2011 and submitted its written statement on 22.06.2012, subsequently the evidence on behalf of the petitioner was closed and thereafter, evidence of respondent was also closed on 23.08.2016. On 15.10.2016, the argument on behalf of the petitioner was concluded and the next date was fixed for final argument on behalf of respondent and thereafter, the matter was further adjourned for 07.11.2016, but the argument on behalf of respondent Insurance Company has not been concluded till date. Hence, the present writ application.

Mr. Ashok Priyadarshi, learned counsel for the respondent submits that he has appeared before the tribunal in Claim Case No. 26 of 2011 and has filed his written statement. However, he does not raise any objection on the prayer of the petitioner, for issuance of direction for concluding the proceeding within a reasonable time frame.

Considering the present stand of the learned counsel for the respondent, keeping in view the nature of the issue involved and the relevant law which provides for its expeditious disposal, it is expected from the learned ADJ-II-cum-Motor



Vehicle Claims Tribunal, Vaishali at Hajipur to conclude the proceeding of Motor Vehicle Claims Case No. 26 of 2011 within a period of six weeks from receipt/production of a copy of this order.

The present writ application is disposed of with an observation and direction aforementioned.

(Dinesh Kumar Singh, J)

Amrendra/Deepak/-

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