

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.331 of 2013

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Branch Manager Oriental Insurance Company Ltd., Begusarai through Sri V.K. Jha, Dy. Manager, duly constituted Attorney, the Oriental Insurance Company Limited, Regional Office Pir Mohani Kadamkuan, Patna.

.... Appellant.

Versus

1. Dular Chand Kumar Sharma, son of Bishundeo Sharma, resident of village Mosadpur, P.O. Tilrath, P.S. Barauni, District Begusarai.
2. M/s Nishad Cargo Private Limited through its Proprietor Baghmali Hajipur, 20/6 Mathura Road, Faridabad, Hariyana.

.... Respondents.

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Appearance :

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

For the Respondent/s : Mr. Shashi Dhar Jha, Adv.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

07 10-05-2018 Seen the office notes.

From the office notes, it appears that notice upon respondent no.2 is not served. Respondent no.2 happens to be the owner of the offending vehicle and he has not contested the case in the learned lower Court. Hence, in my considered opinion, there is no need to take further step for sending notice to the respondent no.2 and the appellant is exempted therefrom.

Both the learned counsels are present before the Court.

After some arguments, learned counsel for the appellant submitted that the appellant is ready to pay the awarded amount of compensation to the claimant and seeks to withdraw this appeal.

Accordingly, this appeal is dismissed as withdrawn.



Let the statutory amount deposited by the appellant be sent down to the learned Tribunal for its adjustment towards the payment of compensation. It is made clear that liability of the appellant to pay interest as held by the learned Tribunal remains unaffected by filing and pendency of this appeal.

(Prakash Chandra Jaiswal, J)

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