

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.172 of 2019

=====

Oriental Insurance Company Ltd. Through its Chief Regional Manager, Regional Office Pirmohani Kadam Kuan Patna Through Sri Niraj Kumar Deputy Manger Cum Duly constituted Attorney the Oriental Insurance company, Ltd. Regional Office Pir Mohani Kadam Kuan Patna.

... .. Appellant/s

Versus

1. Sakshi Gupta Wife of Late Dheeraj Kumar Resident of P.O New Bye Pass Road, Anisabad, P.S. Phulwarisharif and District- Patna- 800002
2. Vrishti Daughter of Late Dheeraj Kumar Under the guardianship of their mother Resident of P.O New Bye Pass Road, Anisabad, P.S. Phulwarisharif and District- Patna- 800002
3. Ramadhar Prasad Son of Harishankar Prasad Resident of Ward No. 24 at Khajuria, V.S. Mill, P.S. Nagar, district- Gopalganj, Pin 841428
4. Amit Kumar Son of Rajendra Prasad Resident of Vill.- Barihari Tola, P.S.- Majhagarh District- Gopalganj Pin 841428

... .. Respondent/s

=====

Appearance :

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

=====

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT

Date : 13-11-2019

I.A. No. 1 of 2019

Heard parties.

This interlocutory application has been filed for condoning the delay of about **144 days** in preferring the present miscellaneous appeal.

For the reasons mentioned in the interlocutory application, this Court is satisfied that the appellant was prevented for sufficient reasons from preferring this miscellaneous appeal within time.



As a result, this interlocutory application is allowed and the delay in filing this miscellaneous appeal is hereby condoned.

I.A. No. 2 of 2019

This interlocutory application has jointly been filed by both the parties to dispose of the miscellaneous appeal on the basis of compromise arrived between the parties as the matter has been amicably settled and the appellant-Oriental Insurance Company has agreed to pay sum of Rs. 65 Lacs as full and final settlement of the claim amount arising out of Claim Case No. 399 of 2015.

In view of the above, the prayer made in this interlocutory application is allowed and accordingly Miscellaneous Appeal No. 172 of 2019 is disposed of in terms of compromise arrived between the parties by way of compromise petition which has been annexed as Annexure-R/1 to this interlocutory application.

The statutory amount of Rs. 25,000/- deposited by the appellant-insurance company at the time of filing of appeal be remitted in the Bank account of claimant no. 1 through electronic mode upon furnishing the details in the format to be provided by the Office to the learned counsel for the claimants,



who shall fill the format and submit same in the Office so that amount could be remitted in the bank account of claimant no. 1 which shall be adjustable in the agreed compensation amount. The agreed amount would be paid by the appellant-Oriental Insurance Company Ltd. within two months from the date of production/receipt of a copy of this order.

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.11.2019
Transmission Date	NA

