

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20904 of 2019

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Ram Narayan Sahani, Male, aged about 50 years, S/o Late Sri Yogeshwar Sahani R/v-Kanhauli, P.S. Khajauli, Dist.-Madhubani

... .. Petitioner

Versus

1. The State of Bihar The Principal Secretary, Department of Transport of Bihar, Patna
2. The Managing Director State Road Transport Corporation, Veer Chand Patel Path, Patna
3. The Administrator, Bihar, State Road Transport Corporation, Veer Chand Patel Path, Patna
4. The Depot Superintendent, Bihar State Road Transport Corporation, Darbhanga
5. The Depot In-Charge, Bihar State Road Transport Corporation, Madhubani
6. The Managing Director, United India Insurance Company, Kalkatta
7. The Deputy Managing Director, United India Insurance Company, Kalkatta
8. The Manager, United India Insurance Company, Sri Krishnapuri, Patna

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar Mallick, Advocate Mr. Sanjay Kumar, Advocate
For the Resp. No. 2 to 5	:	Mr. Jainendra Kr. Sinha, Advocate
For the Insurance Comp.	:	Mr. P.K. Verma, Sr. Advocate Dr. Anand Kumar, Advocate
For the State	:	Mr. Satya Prakash, AC to SC-22

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-11-2019 Petitioner happened to be the driver engaged with the Bihar State Road Transport Corporation. He met with an accident with a Truck bearing No. JH12A-5755 near Sarai Hazipur, Vaishali, Patna. The said accident took place on 05.09.2004. It is submitted that the petitioner filed a claim



before the Motor Vehicle Accident Claim Tribunal (in short the 'Tribunal') in which he got an interim payment of Rs. 1,75,000/- in the year. It is his case that he was orally promised by respondent no. 8 that his final settlement would be done keeping in view his disablement. He has further submitted that in the year 2015 a writ application claiming compensation of Rs. 10 Lakhs has been filed by him. The result of the said writ application has not been disclosed, but from Annexure '4' to the writ application, it appears that the said writ application has been disposed off giving an observation that in case any advertisement takes place in future the court accepts that respondent authorities will consider petitioner's candidature for contractual appointment at a suitable position by giving preference having regard to the fact that he has suffered disability in course of employment.

Learned counsel for the Bihar State Road Transport Corporation as well as the respondents authorities as also United India Insurance Company are present and submit that in the given facts and circumstances of the case no relief may be granted by this court in the said writ



application.

Having heard learned counsel for the petitioner and the respondents, this court finds that the petitioner has already been awarded some compensation by the Motor Vehicle Accidents Claim Tribunal in the year 2010. If He was aggrieved by such award of compensation and is looking for some more payment, for that his remedy lies under the statute itself. It is his own case that he had filed a writ application for award of compensation of Rs. 10 Lakhs before this court and in the said writ application this court has given the observations which have been taken note of hereinabove.

In the circumstances stated above, the present Writ Application is not fit to be entertained. It is dismissed accordingly.

(Rajeev Ranjan Prasad, J)

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