

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.383 of 2022

National Insurance Co. Ltd. Patna. through Regional Manager, 4th Flor, Sone Bhawan, Bir Chand Patel Marg, Patna-1 (Insurer of Truck Bearing No.-BR-01GD/6851)

... .. Appellant/s

Versus

1. Kiran Devi Wife of Late Ram Janam Singh Resident of Village-Kaupadih, P.O.-Jaipur, P.S.-Muffasil (Sasaram), District-Rohtash
2. Abhishek Kumar S/o Late Ram Janam Singh Resident of Village-Kaupadih, P.O.-Jaipur, P.S.-Muffasil (Sasaram), District-Rohtash
3. Kriti Kumari D/o Late Ram Janam Singh Ninor Daughter respectively of Deceased Ram Janam Singh, Being represented through their Mother Kiran Devi, the Claimant No.-01) Resident of Village-Kaupadih, P.O.-Jaipur, P.S.-Muffasil (Sasaram), District-Rohtash
4. Aman Kumar S/o Late Ram Janam Singh Minor Son respectively of Deceased Ram Janam Singh, Being represented through their Mother Kiran Devi, the Claimant No.-01) Resident of Village-Kaupadih, P.O.-Jaipur, P.S.-Muffasil (Sasaram), District-Rohtash
5. Ranjit Kumar Singh Son of Thakuri Singh Resident of Village-Rana Bigha, P.O. and P.S.-Barh, District-Patna (Owner of Truck Bearing No.-BR-01GD/6851)
6. Anuj Mahto Son of Rajeswar Mahto Resident of Village-Dhibar, P. O.-Barh, P.S.-NTPC, Barh, District-Patna (Driver of Truck Bearing No.-BR-01GD/6851)

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Abhay Kumar Sinha, Advocate
For the Respondent/s : Mr.Rajen Sahay, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-12-2022 The present Miscellaneous Appeal is directed against the order and judgment dated 24.3.2022 passed in MACT Claim Case No. 93 of 2017 by which the learned Additional District Judge-XVIII, Patna allowed the claim petition with a direction to the Insurance Company to pay Rs. 57,52,004/- with 6 per cent interest.



Now, a joint compromise petition has been preferred duly signed by the appellant, the National Insurance Company Limited as well as claimants-cum-respondent No. 1 to 4 which states as follows :-

*“03. That, in the meantime, due to intervention of well wishers, family and friends, the Respondent No. 1 to 4 i.e. Claimants have agreed to settle the present case with the Appellant-National Insurance Co. Ltd. Without any fear, force or coercion for Rs. 62,55,000/- (Sixty-two Lakhs Fifty-five Thousand) as full and final settlement of the present Appeal and an A/c Payee Cheque be prepared in favour of Respondent No.-1 i.e. **Kiran Devi** and be deposited before the concerned Ld. Tribunal **within 30 days** from the date compromise arrived at.*

04. That, the Appellant-National Insurance Co. Ltd, wants to keep the Right of Recovery as granted by the Ld. Tribunal retained as against the Opp. Party No.-2 i.e. Owner and Opp. Party No.-3 i.e. Driver of alleged



*vehicle involved in the accident and for
which Claimants have no objection.*

The counsel for the appellant has served the original
copy of the compromise petition.

In view of the fair stand taken by both the parties, the
compromise petition dated 22.11.2022 is hereby accepted.

Accordingly, the M.A. No. 383 of 2022 stands
disposed of.

(Rajiv Roy, J)

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