

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2220 of 2020

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HDFC General Insurance Co. Ltd. @ HDFC Ergo General Insurance Company Limited through its Branch Manager Uma Complex, Frazer Road, Patna, P.O.- G.P.O., Patna- 800001 petitioner through Saswata Banerjee, Daughter of Late Anjan Banerjee, Authorized Signatory, HDFC General Insurance Company Limited, 2nd Floor, P255B, CIT Scheme VIM Kankur Gachhi, Kolkata- 54 (West Bengal).

... .. Petitioner/s

Versus

1. Parwati Devi W/o Lal Babu Bhakth Resident of Mitra Mandal Colony, P.S.- Phulwari Sharif, District- Patna.
2. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Durgesh Kumar Singh, Advocate
For the Respondent/s : Mr.Prashant Pratap (GP 2)

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 27-09-2022

Petitioner has prayed for the following relief(s):

“For issuance of a writ in the nature of certiorari or an appropriate writ for quashing the order dated 14.6.2019, as contained in Annexure-3, passed in Permanent Lok Adalat at Patna in P.L.A. Case no. 46/18 ‘Parvati Devi v/s Branch Manager, HDFC General Insurance Co. Ltd.’, by which the cse has been allowed and the petitioner has been directed by Permanent Lok Adalat, Patna to pay Rs. 9,88,839/- to the petitioner within one month.”



Solely on account of the efforts put in by Shri Durgeshh Kumar Singh, learned counsel appearing on behalf of the petitioner, and thanks to him as also his client, the dispute inter se the parties stands amicably resolved.

The insured value of the vehicle is Rs.9,88,839/- out of which petitioner would be deducting a sum of Rs.1,75,000/- as Salvage Value and a sum of Rs.2000/- as Policy Excess. Thus, the respondent No.1, namely Parwati Devi, w/o Lal Babu Bhakth, resident of Mitra Mandal Colony, P.S.- Phulwari Sharif, District-Patna, would be entitled to receive a total sum of Rs.8,11,839/- towards full and final settlement of all claims. The petitioner undertakes to directly remit the said amount into the respondent's bank account within a period of six weeks from today.

The settlement is acceptable to the private respondent.

Learned counsel for the private respondent, states that his client would take steps under the provisions of the Motor Vehicles Act for cancellation of the registration of the vehicle.

We clarify that only upon cancellation of the registration, the petitioner shall pay the amount to the



respondent No. 1.

Ordered accordingly.

Petition is disposed of in the aforesaid terms.

Interlocutory Application(s), if any, shall stand
disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/DKS

AFR/NAFR	
CAV DATE	
Uploading Date	29.09.2022
Transmission Date	

