

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7322 of 2023

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Munni Devi Wife of Late Sanjiv Kumar Sharma @ Sanjiv Sharma, resident of 296, Saguna Shiv Mandir, Ward No, 16, Mainpura Patna, Danapur Cantt. P.S. Danapur District Patna, Bihar 801503, presently residing at Masjid Gali Golghar Chouraha, P.S. - Budha Colony, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Department of Transport, Govt. of Bihar, Patna.
4. The District Magistrate, Araria.
5. The District Transport, Araria.
6. The Sub Divisional Magistrate (S.D.M.), Araria.
7. The Station House Officer (S.H.O.), Narpatganj P.S. District - Araria.
8. The Chairman cum Managing Director United India Insurance Company Limited Registered Head Office Chennai.
9. The Branch Manager United India Insurance Company Limited First Floor, Shri Sai Plaza, Near Axis Bank Ltd Luknow, Barabanki Road, Barabanki U.P. PIN 225001.
10. The Chairman cum Managing Director National Insurance Company Ltd, Head Office 3 Midilaton Street, Kolkata 700071 (W.B)
11. The Branch Manager, National Insurance Company Ltd Purnea Division, First floor, Amrapali Hotel Campus, Near Bus Stand, Purnea 854301, Bihar.
12. S.D.M, Danapur District Patna.
13. Mr. Esrar Ahmad, Truck Driver and Owner Son of Sharif. Resident of Baraili P.S.- Jaitpur District Barabanki (U.P.) C/o Md. Shamim, House No. 142, Village and P.O. Behta District Paikaraman (U.P.) Pin 226001
14. Md. Nafis Alam, Owner of Hamsafar Bus Son of Nasimuddin, resident of Ward No. 9 Hussain Road, Ram Bishanpur District - Supaul PIN 852111, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Amrendra Kumar Shrivastawa, Advocate
For the Respondent/s	:	Mr.Raghwendra Kumar (Sc22)
For respondent no.11	:	Mr. Abhijeet Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-10-2023 1. The present writ petition has been filed



seeking the following reliefs:-

"(i) Issuance of writ in the nature of Mandamus directing and commanding the respondents to pay Rs. 5 lacs to the petitioner, wife of Sharma (Late Sanjiv Kumar Sharma who died on 3-06-2022 as he was driver of Hamsafar Bus No. BR 11.L 115 started the bus from Patna Bus stand and while at Narpatganj N.H.57 dropping the luggage of the passengers from dicky, at the same time on truck No. UP 32M-N 3305 good carrier by negligent driving hit the bus, her husband died at the place of occurrence itself as truck driver hit the bus which was standing.

(ii) Issuance to writ in the nature of Mandamus directing and commanding the respondent No. 10 and 11 to pay the insurance amount to the petitioner by the National Insurance Company Limited as Super Hamsafar bus was insured and insurance amount is payable to the petitioner as per calculation in accordance with law (all documents contained in 4 series).

iii) Further direction on respondent No.8 and 9 to pay the insurance amount to the petitioner by the United Insurance



Company as Mr. Esraf Ahmad, Truck Driver cum Owner of entire document related to Truck.

(iv) Further direction may be given to S.D.M., Danapur District Patna to pay Rs. 20,000 to the petitioner on the Chief Minister, Family benefit Scheme as application submitted authority concern."

2. At the outset, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to avail such other alternative remedies as are otherwise available under the law. Liberty, so sought, is granted.

3. The writ petition stands disposed off as not pressed.

(Mohit Kumar Shah, J)

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