

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Appeal No.119 of 2023**

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The Branch Manager, New India Assurance Co-Ltd. Muzaffarpur, through the Chief Regional Manager, and the Constituted Attorney, Regional Office New India Assurance Co. Ltd., 6th Floor, B.S.F.C. Building, Fraser Road, Patna (Bihar).

... .. Appellant/s

Versus

1. Anita Devi Wife of Late Rajdev Singh Resident of Village-Muradpur Bangra, P.S.-Bangra, Dist.-Samastipur.
2. Amar Kumar Son of Late Rajdev Singh Resident of Village-Muradpur Bangra, P.S.-Bangra, Dist.-Samastipur.
3. Avinash Kumar Son of Late Rajdev Singh Resident of Village-Muradpur Bangra, P.S.-Bangra, Dist.-Samastipur.
4. Damini Kumari Daughter of Late Rajdev Singh Resident of Village-Muradpur Bangra, P.S.-Bangra, Dist.-Samastipur.
5. Md. Ehsan Abdin Son of Abdur Rauff Resident of Village-Bhamrupur, P.S.-Mufassil, Dist.-Samastipur, (Owner of the Motor Cycle Bearing Reg. No. BR-6AQ/3440

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Raj Kumar Singh Vikram, Advocate  
For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

3      22-09-2025      Heard the parties.

2. The present petition has been preferred for the grant of following relief(s):

*“against the Judgment and award dated 31.01.2022 passed by the learned Additional District Judge-II-cum Motor Vehicle Accident Claim Tribunal, Muzaffarpur (Bihar) in Claim case no. 113/2016 where by claim has*



*been allowed and the appellant insurance company has been directed to pay Rs.35,62,371/- to the claimant as compensation with 6% simple interest per annum from the date of filing of the claim after deducting the amount of Ad-interim compensation if any paid to the claimants. It has been further ordered that 30% total award amount will be paid to Respondent no.-1 and rest amount will be equally paid to Respondent no. 2 to 4.”*

3. Mr. Raj Kumar Singh Vikram, learned counsel for the appellant submit that he may be permitted to withdraw the petition and the statutory amount be directed to be returned.

4. In that background, the writ petition stands dismissed as withdrawn, it is directed that the statutory amount be returned to the appellant.

**(Rajiv Roy, J)**

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