

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1617 of 2024

In
Miscellaneous Appeal No.63 of 2023

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Rajiv Kumar Chaudhary @ Raju Kumar Chaudhary, Son of Lalan Prasad Chaudhary, Resident of Village- Rasidpur, P.S.- Bacchwara, District- Begusarai, Presently residing at Ganga Bridge Colony, Quarter No. 101/A, P.S.- Garhara, District- Begusarai.

... .. Petitioner/s

Versus

1. Jai Prakash Bhagat, Son of Tanik Bhagat, Resident of Village- Rachiyahi, P.S.- Mufassil, P.O.- Singhaul, District- Begusarai, (Driver of Tata Magic Registration No. BRO9M/4990).
2. Jawahar Singh, Son of Sidheshwar Singh, Resident of Village- Tiltrath, P.S.- Barauni, District- Begusarai (Owner of Tata Magic Registration No. BRO9M/4990)
3. Rahul Krishna, Branch Manager, Insurance Company, New India Insurance Company, Ltd. Tapasya, Begusarai (Insurance Valid upto 19.07.2013 to 18.07.2014)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate
For the Opposite Party/s : Mr. Sanjay Singh, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 05-03-2025 Heard learned counsel for the parties.

2. This application has been filed for initiating a proceeding of contempt against the opposite parties for violation of order dated 09.01.2024 passed by this Court in Miscellaneous Appeal No. 63 of 2023.

3. Vide order dated 09.01.2024 passed in Miscellaneous Appeal No. 63 of 2023, this Court has held that:-

“22. In the result, the appeal is allowed and the compensation awarded by the claims Tribunal is



modified from Rs. 11,58,160/- to Rs. 21,87,000/-.
The appellant shall be entitled to 7% simple interest per annum from the date of filing of the claim petition till the date of realization. The amount already paid as interim payment shall be deducted from the awarded amount. The due amount be paid to the appellant within a period of three months.”

4. On the other hand, learned counsel for the Insurance Company has submitted that the total awarded amount Rs. 32,26,255/- including the simple interest @ 7 per cent per annum, has already been given to the petitioner who received the said amount on 09.07.2024.

5. Since the grievance has already been redressed by paying the said amount as stated above, this application is disposed of.

(Khatim Reza, J)

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