



**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Appeal No.747 of 2017**

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The Branch Manager, New India Assurance Company Ltd. Rohtas at Sasaram through its Chief Regional Manager and the constituted Attorney, Regional Office, New India Assurance Company Ltd. 6<sup>th</sup> floor, B S F C Building, Fraser Road, Distt. Patna.

... .. O.P. No.2/Appellant/s

Versus

1. Dinesh Chudhary son of Shree Nageena Chaudhary,
2. Abhimanyu Kumar Minor, son of Shree Dinesh Chaudhary,
3. Rajnandani Kumari Minor, daughter of Shree Dinesh Chaudhary,
4. Roushan Kumar Minor, son of Shree Dinesh Chaudhary, All are represented through their father Dinesh Chaudhary, natural guardian cum next friend All are resident of Village- Dhamni Gola, P.O.- Jhumar Dihra, P.S.- Barun, District- Aurangabad Bihar.
5. Jatindar Singh, S/o Sardara Singh, R/o Rabbon Vehi, P.O.- Babarpur the payal, District- Ludhiana, Punjab, Pin Code- 14100 Owner of the Truck bearing registration no.- PB- 10CZ- 6584.

... .. O.P.No.1/ Respondent 2<sup>nd</sup> set

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**Appearance :**

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

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**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

4      05-05-2026                      At the outset, Mr. Raj Kumar Singh Vikram, learned counsel appearing for the appellant, in presence of learned counsel for the respondents, seeks permission to withdraw the instant Miscellaneous Appeal on the ground that the entire compensation amount, as awarded by the learned Claims Tribunal, has already been paid in the Execution proceedings before the learned Court below. A prayer has also been made for refund of the statutory amount to the appellant.

2. Prayer is allowed.





3. Accordingly, the Miscellaneous Appeal is dismissed as withdrawn.

4. Office is directed to refund the statutory amount to the appellant.

**(Khatim Reza, J)**

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