

IN THE HIGH COURT OF JHARKHAND AT RANCHI
(Civil Miscellaneous Appellate Jurisdiction)
M.A. No. 377 of 2014

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Oriental Insurance Company Limited Appellant
Versus
Ghansi Ram Mahato @ Hasi Mahato & Ors. Respondents
With
M.A. No. 378 of 2014

.....
Oriental Insurance Company Limited Appellant
Versus
Nageshwar Mahato & Ors. Respondents

CORAM: HON'BLE MR. JUSTICE KAILASH PRASAD DEO
(Through : Video Conferencing)

For the Appellant : Mr. Abhay Kr. Mishra, Advocate
For the Resp. No.7 : Mr. Ashutosh Anand, Advocate

05/Dated: 29/01/2021.

Heard, learned counsel for the parties.

Learned counsel for the appellant has submitted that earlier notice has been issued to the respondents in terms of order dated 13.12.2017.

From the service report, it appears that notice upon respondent no.3 and respondent no.4 could not be served and the matter remains pending before this Court since 04.11.2011 when deceased (Sandip Kumar Mahato @ Sanjit Kumar Mahato) died in a motor vehicle accident and as per information received by the appellant, claimants have not preferred any appeal for enhancement of the award.

Learned counsel for the appellant has submitted that Insurance covering letter was issued to the owner of the vehicle bearing registration No.BR1PA-3583, but subsequently the cheque given by the owner of the vehicle was dishonored though the owner of the vehicle has not appeared before the learned Tribunal even after issuance of notice.

Under the aforesaid circumstances, let the notice be issued by the office to the respondent no.3 (Rashmi Ranjan Kumar, S/o Surendra Prasad, R/o Dinesh Prasad Road, Road No.4, Postal Park, Patna, P.O. + P.S.- Mithapur, District- Patna, Bihar, currently R/o Ram Chandrapura Mangala Asthan, Bihar Sharif, P.O. + P.S.+ District- Nalanda, Bihar) and respondent no.4 (Ram Pravesh Singh, S/o Bahali Singh, R/o Dhakai, P.O- Bithosrif, P.S. Chandoli, District- Gaya and currently resident of BSL, L.H.M.N.- 86, Street- 7, Bokaro Steel City, P.O. + P.S.+ District- Bokaro) through the Officer-in-

charge of the concerned police station through the learned Registrar General, Patna High Court and a report with regard to the same shall be submitted before this Court.

However, office is also directed to verify whether any Miscellaneous Appeal has been preferred by the claimants for enhancement of the Award.

In the meantime, the appellant-Oriental Insurance Company Ltd. shall indemnify the award within a period of 60 days along with interest to the claimants, as no ground has been taken to assail the quantum of award granted in favour of the claimants.

The Insurance Company shall file an affidavit to that effect before this Court.

Put up these cases after service of notice.

(Kailash Prasad Deo, J.)