

IN THE HIGH COURT OF JHARKHAND AT RANCHI
(Civil Miscellaneous Appellate Jurisdiction)
M.A. No. 98 of 2019

.....
United India Insurance Co. Ltd. Appellant
Versus
Anupama Devi & Others Respondents

WITH
M.A. No. 349 of 2018

.....
United India Insurance Co. Ltd. Appellant
Versus
Lalita Devi & Others Respondents

WITH
M.A. No. 350 of 2018

.....
United India Insurance Co. Ltd. Appellant
Versus
Rajendra Prasad & Others Respondents

WITH
M.A. No. 351 of 2018

.....
United India Insurance Co. Ltd. Appellant
Versus
Sushma Devi & Others Respondents

WITH
M.A. No. 352 of 2018

.....
United India Insurance Co. Ltd. Appellant
Versus
Anu Devi & Others Respondents

WITH
M.A. No. 353 of 2018

.....
United India Insurance Co. Ltd. Appellant
Versus
Nitu Devi & Others Respondents

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

.....
For the Appellant : Mr. Alok Lal, Advocate
(In all cases).
For the Respondent Nos. 1 & 2 : Mr. Vijay Kumar Sharma, Advocate
(In M.A. No. 350/2018)

.....
04/06.07.2021.

Heard, learned counsel for the United India Insurance Company Limited, Mr. Alok Lal and learned counsel for the claimants in M.A. No. 350/2018, Mr. Vijay Kumar Sharma.

Learned counsel for the Insurance Company has submitted that Insurance Company has preferred altogether six miscellaneous

appeals arising out of same accident, where seven persons have been died in an unfortunate accident, while eight persons along with driver were moving in Maruti Van which caught fire because of short circuit. The driver of the vehicle Md. Jabir @ Md. Khalid fled away, three persons namely, Pradeep Prasad, Satish Prasad and Prashant Kumar died on the spot and four persons namely, Kashinath Prasad, Yadunandan Prasad, Ashok Prasad and Manish Kumar, who sustained severe burn injuries, died during treatment.

Learned counsel for the claimants in M.A. No. 350/2018, Mr. Vijay Kumar Sharma has submitted that three appeals have been preferred by the claimants for enhancement of the award vide M.A. No. 602/2017, M.A. No. 610/2017 & M.A. No. 673/2017, as such all the appeals may be heard together.

Under the aforesaid circumstances, let all the appeals arising out of same accident shall be tagged together i.e. (1) M.A. No. 98/2019, (2) M.A. No. 349/2018, (3) M.A. No. 350/2018, (4) M.A. No. 351/2018, (5) M.A. No. 352/2018, (6) M.A. No. 353/2018, (7) M.A. No. 602/2017, (8) M.A. No. 610/2017 & (9) M.A. No. 673/2017.

Registry is directed to place all these appeals before the Hon'ble the Chief Justice for necessary order / direction as this Court is in Roaster of Miscellaneous Appeals from 2018 onwards, but some of the Miscellaneous Appeals arising out of the same accident are of the year 2017.

Registry is also directed to call for a report from the Principal District Judge, Chatra / Secretary, District Legal Services Authority, Chatra with regard to number of claim cases filed before the learned Tribunal as there are seven deceased and if seven claim applications have not been filed before the learned Claims Tribunal, it means that the judgment passed by the Apex Court in the case of *Jai Prakash Vs. M/s National Insurance Company Limited & Others* reported in (2010) 2 SCC 607, which has been circulated to The Chief Secretary and The Director General of Police in the State of Jharkhand as well as Registrar General of the Hon'ble Court, are not being complied with.

Report must be submitted before this Court within two weeks.

Joint Registrar (List & Computer) shall also explain that even after repeated directions of this Court that all analogous matter be listed together, it is found by this Court in several cases, the analogous matters are not being listed together, as it has happened in today's list, which may give rise to a situation where there may be conflicting order because of not listing of all analogous miscellaneous appeals together.

These appeals shall be listed after necessary order passed by the Hon'ble the Chief Justice.

In the meantime, parties are directed to exchange their pleadings.

(Kailash Prasad Deo, J.)

Sunil/-