

IN THE HIGH COURT OF JHARKHAND AT RANCHI

[Civil Miscellaneous Appellate Jurisdiction]

M.A. No. 469 of 2018

MAGMA HDI, General Insurance Co. Ltd Appellant(s)

Versus

1. Rupa Devi, W/o Late Anil Rajak
2. Gunjari Devi, W/o Beni Rajak
3. Beni Rajak, S/o Late Bulaki Rajak
4. Chandani Kumari, D/o Late Anil Rajak
5. Riya Kumari, D/o Late Anil Rajak
6. Vijay Singh, S/o Late Talo Rai

.. ... Respondent(s)

With

M.A. No. 544 of 2018

1. Rupa Devi, W/o Late Anil Rajak
2. Gunjari Devi, W/o Beni Rajak
3. Beni Rajak, S/o Late Bulaki Rajak
4. Chandani Kumari, D/o Late Anil Rajak
5. Riya Kumari, D/o Late Anil Rajak .

.... .. Appellant(s)

Versus

1. Vijay Singh, S/o Late Talo Rai
2. MAGMA HDI, General Insurance Co. Ltd. Respondent(s)

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

.....
For the Appellant(s) : Mr. Alok Lal, Advocate [In M.A. 469/2018]
Mr. Arvind Kr. Lall, Advocate [In M.A. 544/2018]
For the Respondent(s) : Mr. Arvind Kr. Lall, Advocate [In M.A. 469/2018]
Mr. Alok Lal, Advocate [In M.A. 544/2018]
.....

08/ 13.07.2021. Heard, learned counsel for the parties.

It appears that vide order dated 06.01.2020, notice has been issued under both process upon the Respondent No.6, Vijay Singh, S/o Late Talo Rai, Resident of Village- Ranidih, P.O. Ranikhawa, P.S. Giridih (Muffasil), District- Giridih, PIN 815316 (owner cum driver of the tractor bearing Registration No.JH 11 H 2215).

From perusal of service report at Flag-B, it appears that notice has been served upon Respondent No.6, Vijay Singh, S/o Late Talo Rai, Resident of Village- Ranidih, P.O. Ranikhawa, P.S. Giridih (Muffasil), District- Giridih, PIN 815316 on 22.02.2020, but till date he has not appeared before this Court, as such, both the aforesaid Misc. Appeals are still pending.

Under the aforesaid circumstances, let bailable warrant of arrest of Rs.5,000/- be issued with two sureties against the owner/respondent No.6 for securing his appearance in these two Miscellaneous Appeals.

The Superintendent of Police, Giridih, is directed to execute bailable warrant of arrest of Rs.5,000/- with two sureties upon the respondent No.6 [Vijay Singh, S/o Late Talo Rai, Resident of Village- Ranidih, P.O. Ranikhawa, P.S. Giridih (Muffasil), District- Giridih, PIN 815316] through the Officer-in-Charge, Giridih (Moffasil) Police Station, Giridih, after ascertaining the address, if requires, from the D.T.O., Giridih as because of his non-appearance, both the appeals are pending.

The Officer-in-Charge, Giridih (Moffasil) Police Station, Giridih after executing bailable warrant of arrest upon respondent No.6 must file an affidavit before this Court at the earliest.

Let a copy of this order be communicated through "FAX" to the Superintendent of Police, Giridih at once.

List both these appeals after filing of affidavit.

(Kailash Prasad Deo, J.)

Sandeep/