

(2025) 04 JH CK 1348

In the Jharkhand High Court

Case No : Miscellaneous Appeal No. 96 Of 2025

ICICI Lombard General Insurance Company Limited

APPELLANT

Vs

Pushpa Devi and Others

RESPONDENT

Date of Decision : 16-04-2025

Acts Referred:

Citation : (2025) 04 JH CK 1348

Hon'ble Judges : Sanjay Kumar Dwivedi, J

Bench : Single Bench

Advocate : Bibhash Sinha

Final Decision : Allowed

Judgement

Sanjay Kumar Dwivedi, J

1. This appeal is barred by limitation of 140 days and for condoning the said delay an I.A. No.710 of 2025 has been filed.
2. The learned counsel for the appellant submits that the driving license has not been proved and in spite of that the right to recovery has not been provided to the appellant on the owner who is the respondent no.6. He submits that the quantum has also not been properly calculated by the learned court and the compound interest has been allowed.
3. In view of above and considering that the deceased was working as Ice-cream seller and hardship is there to his family, and as such, the Insurance company is directed to deposit the entire awarded amount along with the interest at the rate of 7.5 % before the learned Tribunal within three weeks.
4. Out of the deposited amount, 50% of the same shall be released in favour of the claimants on proper verification and the rest of the amount shall be kept intact and that will be subject to the result of this appeal.
5. Issue notice by ordinary process upon the respondent nos.1 to 7 in the main

appeal as well as in the I.A meant for condonation of delay for which requisites etc must be filed within a week.

6. The respondents are at liberty to file a proper petition for modification of this order.