

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**(Civil Miscellaneous Appellate Jurisdiction)**  
**M.A. No. 433 of 2018**

.....  
Md. Altab Hussain & Another ..... Appellants

**Versus**

Branch Manager, IFFCO TOKIO General  
Insurance Company Limited & Another ..... Respondents

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

.....  
For the Appellants : Mr. Prabhash Ch. Sinha, Advocate.  
For the Respondents :

.....

**05/05.04.2021.**

Heard, learned counsel for the appellants, Mr. Prabhash Ch. Sinha.

Learned counsel for the appellants has submitted that the claimants namely, Md. Altab Hussain and Rajilun Khaton are appellants before this Court and they have preferred this appeal against the dismissal of the claim application vide order dated 22.06.2018 passed by learned Presiding Officer, MVACT, Hazaribag in Motor Accident Claim Case No. 98/2016, whereby the claim application has been dismissed on the ground that the accident took place due to negligence and rashness of the deceased himself.

Learned counsel for the appellants has submitted that the lower court records may be called for and in the meantime, copy of the memo of appeal and impugned order will be served upon counsel appearing for the IFFCO TOKIO General Insurance Company Limited.

Considering the same, let lower court records be called for from the court below.

In the meantime, appellants are directed to serve two copies of memo of appeal along with impugned order upon learned counsel Mr. Ashutosh Anand, who normally appears for the IFFCO TOKIO General Insurance Company Limited.

Put up this case after receipt of lower court records.

**(Kailash Prasad Deo, J.)**