

**HIGH COURT OF TRIPURA
AGARTALA
MAC.APP.No.118 of 2024**

Cholamandalam MS General Insurance Company Ltd.
represented by its Authorized Signatory,
1st Floor, Above 'W' Showroom,
Mantribari Road, Old RMS Chowmuhani,
P.S. West Agartala, District-West Tripura
(Insurer of Vehicle bearing Registration
No.TR01-AJ-1885, TATA Truck)

---- Appellant(s)

Versus

1) Smt. Purabi Debbarma Ghosh,
wife of Late Biswajit Ghosh

2) Sri Gourab Ghosh,
son of late Biswajit Ghosh

3) Shri Sourab Ghosh,
son of Late Biswajit Ghosh

all are residing at Village-Singinala, Salema, Batabari,
P.S. Salema, District-Dhalai, Tripura

----Claimant-Respondent(s)

4) Shri Diptanu Saha,
son of Shri Narayan Saha,
resident of N.S. Extension Road,
Near M.B.B. Club, P.S. East Agartala,
District-West Tripura. [Owner of the vehicle bearing No.TR01-AJ-1885 TATA Truck]
-----Owner-Respondent(s)

5) Shri Nihar Das,
son of Shri Sankar Das,
resident of Village-Nagrai Bari,
P.O. & P.S. Jirania, District-West Tripura
(Driver of the vehicle bearing No.TR01-AJ-1885 TATA Truck)

----Driver-Respondent(s)

For Appellant (s)	:	Mr. R. Saha, Adv.
For Respondent(s)	:	Mr. S. Das, Adv. Mr. Tarun Dey Sarkar, Adv. Ms. Laxmi Rani Das, Adv. Ms. A. Chakraborty, Adv.
Date of Hearing & Judgment & Order	:	30.01.2025
Whether fit for reporting	:	YES

HON'BLE MR. JUSTICE BISWAJIT PALIT

Judgment & Order(Oral)

This appeal is preferred challenging the judgment and award dated
08.07.2024 delivered by Learned Member MACT, Dhalai Judicial District,

Ambassa in connection with Case No.T.S.(MAC)15 of 2022. By the said judgment and award, Learned Tribunal has awarded a sum of Rs.32,779,948/- with 7% simple interest from the date of registration of the claim petition w.e.f.27.09.2022 to till the date of realization.

[2] Heard Mr. R. Saha, Learned counsel appearing on behalf of the appellant-Insurance Company and also heard Mr. S. Das, Learned counsel appearing on behalf of the respondent-claimants i.e. the respondent Nos.1 to 3 and Mr. Tarun Dey Sarkar, Learned counsel and Ms. Laxmi Rani Das, Learned counsel appearing on behalf of the respondent Nos.4 & 5 i.e. the owner and driver of the vehicle.

[3] The respondent claimant petitioners filed one claim petition before the Learned Member MACT, Dhalai Judicial District, Ambassa under Section 166 of M.V. Act for granting of compensation owing to the death of the deceased Biswajit Ghosh in a road traffic accident which took place on 28.07.2019 at about 03.45 pm at Acharjee Tilla near Petrol Pump over Assam Agartala Road under Ranirbazar Police Station due to rash and negligent driving of the vehicle bearing registration No.TR01-AJ-1885 (TATA Truck) by its driver. According to the respondent claimant petitioners, on 28.07.2019, at about 03:00 pm, the deceased Biswajit Ghosh was proceeding towards Salema from Agartala by driving a vehicle bearing registration No.TR04-A-0500(Scorpio) and at about 03:45 pm when he reached at Acharjee Tilla near Petrol Pump on Assam-Agartala road that time one TATA Truck bearing registration No.TR01-AJ-1885 came from opposite direction and dashed against the vehicle of Biswajit Ghosh due to its rash and negligent driving and as a result, said Biswajit Ghosh sustained severe injuries on his head, hand, chest and other parts of his body. Thereafter, Biswajit Ghosh (since dead) was removed to AGMC & GBP Hospital, Agartala by the Fire Service Vehicle but during treatment at about 04:20 pm Biswajit Ghosh succumbed to his injuries. It was further stated that the accident took place due to rash and negligent driving of the offending vehicle bearing No.TR01-AJ-1885 (TATA Truck), by its driver. In this connection, a specific case

vide Ranirbazar PS Case No.2019 RNB 084 under Section 279/338 of IPC was registered. It was the further case of the respondent claimant petitioners that the deceased at the time of death was a Class-I Contractor under PWD (R&B) Department, Tripura by profession and he used to earn Rs.3,60,000/- per month. The deceased was 49 years old at the time of his death and he was the only earning member of his family and all the respondent claimant petitioners were fully depending upon his income for their livelihood. So, the respondent claimant petitioners by their claimed compensation amounting to Rs.4,39,20,000/- with interest. After the registration of the case notices were served upon the parties and accordingly the owner and driver of the offending vehicle along with the Insurance Company appeared. The owner of the vehicle filed written statement denying the allegation of the respondent claimant petitioners in their claim petition and he also took the plea that on the day of alleged accident the OP No.2 was the driver of the offending vehicle and the same was duly insured with the OP No.3 i.e. the present appellant herein. It was further stated that the OP No.2 have valid driving license. So, the OP Nos.1 & 2 by their separate written statement urged for fixing the liability of payment of compensation upon the Insurance Company. The OP No.3, i.e. the present appellant herein also contested the case before the Learned Tribunal and filed written statement and took the plea that there was no cause of action to file the petition and denying the assertions of the respondent claimant petitioners in their claim petition further took the plea that the claim petition was subjected to strict proof by the claimant petitioners. Upon the pleadings of the parties, Learned Tribunal below framed the following issues :

- “(i) Whether the suit is maintainable in its present form and nature ?**
- (ii) Whether any accident was occurred on 28.07.2019 at about 03:45 pm near the Petrol Pump, Assam-Agartala road due to rash and negligent driving of the offending vehicle bearing No.TR01AJ-1885(TATA Truck) by its driver ?**
- (iii) Whether the claimant-petitioners are entitled to get compensation and if so, what should be the quantum of compensation and who will pay the same ?**
- (iv) What other relief or reliefs the parties to this suit are entitled to get ?”**

[4] Before the Tribunal both the parties have adduced oral/documentary evidence on record which are as follows :

APPENDIX

WITNESSES

PW-1 :- Smt. Purabi Debbarma Ghosh

PW-2 :- Smt. Babita Mog

EXHIBITED DOCUMENTS OF PW-1

- (i) Exhibit P-1 (as a whole)-Certified copy of the printed FIR in connection with Ranir Bazar Police Station Case No.2019/RNB/084, dated 28.07.2019, in 2(two) sheets.
- (ii) Exhibit P-2 (as a whole)-Certified copy of suo-moto complaint of Sub-Inspector Mithun Saha.
- (iii) Exhibit P-3 (as a whole)-Certified copy of the seizure list dated 28.07.2019, in connection with GB TOP GD Entry No.18, dated 28.07.2019.
- (iv) Exhibit P-4 (as a whole)-Photocopy of Death Certificate of the deceased Biswajit Ghosh (compared with the original).
- (v) Exhibit P-5 (as whole)-Certified copy of the Order dated 16.06.2022 passed by the Learned Judicial Magistrate First Class, Court No.1, Agartala, West Tripura Judicial District, in connection with PRC (SP) 54 of 2022, in 2(two) sheets.
- (vi) Exhibit P-6 (as a whole)-Certified copy of the postmortem report of the deceased Biswajit Ghosh, in 2(two) sheets.
- (vii) Exhibit P-7 (as a whole)-Certified copy of the Mechanical Inspection Report in connection with Ranir Bazar Police Station Case No.2019/RNB/084, dated 28.07.2019.
- (viii) Exhibit P-8 (as a whole)-Original Survival Certificate of the legal heirs of the deceased Biswajit Ghosh.
- (ix) Exhibit P-9 (as a whole)- Photocopy of Family Ration Card of the deceased Biswajit Ghosh (compared with the original).
- (x) Exhibit P-10 (as a whole)- Photocopy of PAN Card of the deceased Biswajit Ghosh (compared with the original).
- (xi) Exhibit P-11 (as a whole)- Indian Income Tax Return Acknowledgment of the assessment year 2015-16 of the deceased Biswajit Ghosh, in 19(nineteen) sheets.
- (xii) Exhibit P-12 (as a whole)- Photocopy of revalidation of enlistment of Class-I contractors under PWD (R&B), Tripura, issued by the Engineering Officer to Chief Engineer, PWD (R&B), Tripura (compared with the original).
- (xiii) Exhibit P-13 (as a whole)- Photocopy of enlistment of upgraded Class-I contractors under PWD (R&B), Tripura, issued by the Engineering Officer to Chief Engineer, PWD (R&B), Tripura(compared with the original).
- (xiv) Exhibit P-14 (as a whole)- Photocopy of Aadhar Card of the deceased Biswajit Ghosh(compared with the original).
- (xv) Exhibit P-15 (as a whole)- Photocopy of Aadhar Card of PW-1 (compared with the original).

NAME OF WITNESSES OF OPW-1 & OPW-2 :-

OPW-1 :- Shri Diptanu Saha

OPW-2 :- Shri Nehar Das

EXHIBITED DOCUMENTS OF OPPOSITE PARTY NOS.1 & 2 :-

- (i) Exhibit D-1 (as a whole)- Photocopy of registration certificate of the vehicle bearing registration No.TR01-AJ-1885(TATA Truck) (compared with original).
- (ii) Exhibit D-2 (as a whole)- Photocopy of Insurance Certificate of vehicle bearing registration No.TR01-AJ-1885(TATA Truck) (compared with original).
- (iii) Exhibit D-3 (as a whole)- Photocopy of the Driving licence of Nehar Das (OP No.2) bearing No.TR01 20160118082 (compared with original)."

It is also to be noted here that before the Tribunal the OP No.3 i.e. the present appellant herein did not adduce any oral/documentary evidence on record in support of their defence.

Finally, on conclusion of the proceeding, Learned Tribunal below delivered the judgment/award and challenging that the judgment, this present appeal is preferred before this High Court.

[5] At the time of hearing, Mr. R. Saha, Learned counsel for the appellant-Insurance Company first of all drawn the attention of the Court that before the Tribunal the respondent claimant petitioners could not prove the income of the deceased as per law and they only produced the income tax return of the year 2014-2015 and the audit report without proving the contents of the said documents. So, no reliance could be placed upon those documents. But the Tribunal below simply on the basis of income tax return and the audit report came to the conclusion that the monthly income of the deceased was Rs.2,50,000/- per month which was too high. It was further submitted that the claimant petitioners before the Tribunal could not produce any latest document to substantiate the monthly income of the deceased for which the interference of the Court is required.

[6] Learned counsel for the appellant in his second part of argument further submitted that the Learned Tribunal below at the time of delivery of judgment awarded Rs.1,00,000/- to the wife of the deceased for "loss of love and affection" without any principle of law laid down by the Hon'ble Apex Court. Rather, he relied upon one citation of the Hon'ble Supreme Court of India in **United India Insurance Company Limited versus Satinder Kaur alias Satwinder Kaur and Others** reported in **(2021) 11 SCC 780** wherein in para Nos.34 & 35 Hon'ble the Apex Court observed as under :

"34. At this stage, we consider it necessary to provide uniformity with respect to the grant of consortium, and loss of love and affection. Several Tribunals and High Courts have been awarding compensation for both loss of consortium and loss of love and affection. The Constitution Bench in National Insurance Co. Ltd. v. Pranay Sethi : (2017) 16 SCC 680, has recognized only three conventional heads under which

compensation can be awarded viz. loss of estate, loss of consortium and funeral expenses. In Magma General Insurance Co. Ltd. v. Nanu Ram : (2018) 18 SCC 130, this Court gave a comprehensive interpretation to consortium to include spousal consortium, parental consortium, as well as filial consortium. Loss of love and affection is comprehended in loss of consortium.

35. The Tribunals and the High Courts are directed to award compensation for loss of consortium, which is a legitimate conventional head. There is no justification to award compensation towards loss of love and affection as a separate head.

[7] Learned counsel for the appellant further submitted that upon the conventional head Learned Tribunal below also imposed 20% of interest which was also contrary to the law laid down by the Hon'ble Apex Court and also Learned Tribunal at the time of determination of compensation also awarded interest on the income of future prospect which is also not legally permissible in the eye of law. So in summing up his submission, Learned counsel for the appellant submitted that the Learned Tribunal below committed serious error in determining the amount of compensation for which the interference of the Court is required and urged for setting aside the judgment and award delivered by the Learned Tribunal below.

[8] Per contra, Mr. S. Das, Learned counsel appearing on behalf of the respondent claimant petitioners submitted that as the accident took place all on a sudden and the wife of the deceased being a house wife was unaware about the professional activities of the deceased being a Class-I contractor under the PWD (R&B) Department, Government of Tripura. So, before the Tribunal the wife of the respondent claimant petitioners only could produce the income tax return of the financial year 2014-2015 which was marked as Exbt.P/11 (as a whole) and Revalidation of Enlistment of Contractors under PWD (R&B), Tripura Exbt.P/12(as a whole) and Copy of Enlistment of Upgraded Contractors under PWD (R&B), Tripura Exbt.P/13 issued by Chief Engineer, PWD (R&B), Tripura and those documents were marked as Exhibits without any objection from the side of the owner and driver of the vehicle as well as from the Insurance Company i.e. the present appellant herein. Even at the time of hearing of argument they did not raise anything on this point. Learned counsel for the

respondent claimant petitioners further submitted that regarding the status and income of the deceased the contesting appellant did not adduce any rebuttable evidence on record nor they disputed the status of the deceased as a Class-I contractor. Even, they did not dispute anything regarding income tax return of the deceased. Learned counsel further submitted that relying upon the income tax return of the deceased in the year 2014-2015 the monthly income of the deceased came to Rs.2,70,950/-. However, the Tribunal considering the facts and circumstances of the case determined the monthly income of the deceased @ Rs.2,50,000/- per month which was in lesser side and the same amount was reasonable and justified. Now, according to Learned counsel the appellant being a noticee cannot take this plea regarding quantum of compensation as awarded by the Learned Tribunal below. He also in support of his case relied upon the judgment of the Hon'ble Supreme Court of India in **New India Assurance Co. Ltd. versus Sonigra Juhi Uttamchand** reported in **2025 SCC OnLine SC 9** wherein in the last part of para No.8 the Hon'ble Apex Court observed as under :

"8.....Monthly income could be fixed taking into account the tax returns only if the details of payment of tax are appropriately brought into evidence so as to enable the Tribunal/Court to calculate the income in accordance with law."

[9] Learned counsel further submitted that the Learned Tribunal below rightly determined the amount of compensation amounting to Rs.1,00,000/- towards loss of love affection to the respondent claimant petitioner No.1 and in respect of interest under conventional heads Learned counsel also relied upon the judgment of Hon'ble Supreme Court of India in **National Insurance Company Limited versus Pranay Sethi and Others** reported in **(2017) 16 SCC 680** wherein para Nos.52 and 59.8 Hon'ble the Apex Court observed as under :

"52. As far as the conventional heads are concerned, we find it difficult to agree with the view expressed in Rajesh v. Rajbir Singh (2013) 9 SCC 54. It has granted Rs. 25,000/- towards funeral expenses, Rs. 1,00,000/- loss of consortium and Rs. 1,00,000/- towards loss of care and guidance for minor children. The head relating to loss of care and minor children does not exist. Though Rajesh(supra) refers to Santosh Devi

v. National Insurance Co. Ltd., : (2012) 6 SCC 421, it does not seem to follow the same. The conventional and traditional heads, needless to say, cannot be determined on percentage basis because that would not be an acceptable criterion. Unlike determination of income, the said heads have to be quantified. Any quantification must have a reasonable foundation. There can be no dispute over the fact that price index, fall in bank interest, escalation of rates in many a field have to be noticed. The court cannot remain oblivious to the same. There has been a thumb rule in this aspect. Otherwise, there will be extreme difficulty in determination of the same and unless the thumb rule is applied, there will be immense variation lacking any kind of consistency as a consequence of which, the orders passed by the tribunals and courts are likely to be unguided. Therefore, we think it seems to fix reasonable sums. It seems to us that reasonable figures on conventional heads, namely, loss of estate, loss of consortium and funeral expenses should be Rs. 15,000/-, Rs. 40,000/- and Rs. 15,000/- respectively. The principle of revisiting the said heads is an acceptable principle. But the revisit should not be fact-centric or quantum-centric. We think that it would be condign that the amount that we have quantified should be enhanced on percentage basis in every three years and the enhancement should be at the rate of 10% in a span of three years. We are disposed to hold so because that will bring in consistency in respect of those heads. 59.8. Reasonable figures on conventional heads, namely, loss of estate, loss of consortium and funeral expenses should be Rs.15,000, Rs.40,000 and Rs.15,000 respectively. The aforesaid amounts should be enhanced at the rate of 10% in every three years."

Referring the same, Learned counsel submitted the rate of interest and conventional heads was determined by the Learned Tribunal below based upon the judgment of the Constitutional Bench(supra). So, there was no infirmity in the judgment in respect of awarding interest by the Learned Tribunal upon conventional heads in every three years.

[10] Learned counsel further submitted that due to sudden death of the deceased the respondent claimant petitioner No.1 could not produce the last income tax return of the deceased i.e. prior to his death. It was further submitted that if she could produce the same, in that case, the Learned Tribunal could award more compensation upon the respondent claimant petitioners as because by lapse of time the income of the deceased grew up and he paid more income tax but at the time of proceeding before the Learned Tribunal, she could not collect those documents. So, in summing up of his submission, Learned counsel for the respondent claimant petitioners submitted that the Learned Tribunal below after considering the evidence on record rightly and reasonably

delivered the judgment and award and there is no infirmity in the judgment and urged for dismissal of this appeal.

[11] Learned counsel for the respondents No.4 & 5 i.e. the owner and driver of the vehicle only submitted that all though the accident took place but on that relevant day the vehicle of the OP owner was duly insured with the present appellant herein.

[12] Heard the contesting parties at length. Admittedly, in this case, there is no dispute on record in respect of death of the deceased, Biswajit Ghosh due to accident which took place on 28.07.2019. Since, the appellant at the time of hearing of argument only raised three points. So, without discussing other points which are already been settled and decided without any objection let us confine ourselves to those three points only. The Tribunal at the time of delivery of judgment relied upon Exbt.P/11 i.e. the Income Tax Return of the deceased during the financial year 2014-2015, assessment year 2015-2016 and as per return it was found that the gross income of the deceased was Rs.43,92,336/- and from that amount a sum of Rs.11,40,934/- was deducted towards tax and after deduction the actual income came to Rs.32,51,402/- for the year 2014-2015 and on calculation the Learned Tribunal below determined the monthly income of the deceased at Rs.2,70,950/-. Admittedly, the respondent claimant petitioners before the Tribunal could not produce any latest document of income belonging to the deceased. However, the deceased was a Class-I contractor under PWD (R&B) Department, Government of Tripura, there is no denial to that. So, at the time of delivery of judgment the Learned Tribunal below determined the monthly income of the deceased at Rs.2,50,000/- in place of Rs.2,70,950/- and accordingly calculated the amount and thereafter, in pursuance of the judgment of Hon'ble Supreme Court in **Pranay Sethi**(supra) Learned Tribunal added 25% of Rs.2,50,000/- towards future prospects and from that amount deducted 1/3rd of the income towards personal and living expenses of the deceased. Thus, determined the compensation under the head loss of income at Rs.32,49,448/- and after that with that amount the Learned

Tribunal below determined compensation under the conventional heads in total Rs.1,80,000/- with 20% interest for a gap of six years and thereafter, Learned Tribunal below determined and awarded compensation of Rs.1,00,000/- towards loss of love and affection in favour of the respondent claimant petitioner No.1, i.e. the wife of the deceased. Hon'ble the Supreme Court of India in **Pranay Sethi** (supra) in para No.52 observed as to how the amount would be calculated towards loss of consortium, funeral expenses and loss of estate. In para No.59.8 as aforestated observed that the said amount under conventional head should be enhanced up to 10% in every three years.

The aforesaid principle was also concurred by Hon'ble Supreme Court of India in another judgment in **United India Insurance Company Limited versus Satinder Kaur and Others** reported in **(2021) 11 SCC 780** wherein in para Nos.34 & 35 observed as under :

"34. At this stage, we consider it necessary to provide uniformity with respect to the grant of consortium, and loss of love and affection. Several Tribunals and High Courts have been awarding compensation for both loss of consortium and loss of love and affection. The Constitution Bench in Pranay Sethi (supra), has recognized only three conventional heads under which compensation can be awarded viz. loss of estate, loss of consortium and funeral expenses. In Magma General (supra), this Court gave a comprehensive interpretation to consortium to include spousal consortium, parental consortium, as well as filial consortium. Loss of love and affection is comprehended in loss of consortium.
35. The Tribunals and High Courts are directed to award compensation for loss of consortium, which is a legitimate conventional head. There is no justification to award compensation towards loss of love and affection as a separate head."

The Hon'ble Apex Court also concurred the said observation and the reference has already been made by the Learned counsel for the Insurance Company. But going through the judgment of the Learned Tribunal below it appears to this Court that the Tribunal at the time of providing compensation under conventional heads without any basis further awarded Rs.1,00,000/- to the wife of the deceased towards love and affection which in my considered view Learned Tribunal below awarded without any principle of law laid down by the Hon'ble Apex Court, for which the same amount needs to be deleted from the award of compensation made by the Tribunal.

[13] Now, after hearing arguments of both the sides it appears that admittedly the appellant-Insurance Company at the time of proving the documents and marking of exhibits did not make any objection nor raised anything in writing challenging the marking of those documents, even, during hearing of argument nothing was raised from the side of the appellant-Insurance Company towards determination of monthly income of the deceased by the Tribunal. However, after hearing both the sides and considering the facts and circumstances of the case, I think the purpose of justice would suffice if the monthly income of deceased is reduced to be calculated @ Rs.2,40,000/- per month being a Class-I contractor. If that is so, the calculation towards loss of income would be as follows :

(i) Income per month –Rs.2,40,000/-

ii) with that amount 25% be added as future prospects in pursuance of the judgment of **Pranay Sethi** (supra) in para No.59.4 which provides as under :

“59.4. In case the deceased was self-employed or on a fixed salary, an addition of 40% of the established income should be the warrant where the deceased was below the age of 40 years. An addition of 25% where the deceased was between the age of 40 to 50 years and 10% where the deceased was between the age of 50 to 60 years should be regarded as the necessary method of computation. The established income means the income minus the tax component.”

iii) the sum of aforesaid loss of income i.e (i + ii) comes to Rs.2,40,000 + Rs.60,000/- =Rs.3,00,000/-

iv) From that amount (Rs.3,00,000/-) $\frac{1}{3}^{\text{rd}}$ amount be deducted towards personal and living expenses of the deceased i.e.Rs.300000-100000=Rs.2,00,000/- per month.

v) with the aforesaid amount in pursuance to the judgment of **Pranay Sethi**(supra) multiplier would be 13

So, under the “loss of income” modified amount would be Rs.2,00,000 x 13 x 12 =Rs.3,12,00,000/- which is awarded in favour of the impugned claimant petitioners.

With that amount the respondent claimant petitioners would also get Rs.15,000/- towards loss of estate as per **Pranay Sethi**(supra) and with that

amount 20% would be added which comes to Rs.15000 + 3000=Rs.18,000/- and thereafter, towards funeral expenses Rs.15,000/- is awarded and along with that amount 20% interest would be added i.e.Rs.18,000/- in pursuance of the judgment of **Pranay Sethi**(supra) and thereafter towards loss of consortium each of the claimant petitioners would get @ Rs.40,000/- and as such for three claimant petitioners the amount would come to Rs.1,20,000/- and with that amount, more 20% would be added which comes to Rs.24,000/- and in total Rs.1,44,000/- in view of the said judgment. The awarded amount of Rs.1,00,000/- to the wife of the deceased towards loss of love and affection is interfered with and be deleted in absence of any specific principle of law. Now, after calculation the total amount of compensation would come to Rs.3,13,80,000/-(Rs.3,12,00,000+ Rs.18,000 + Rs.18,000 + Rs.1,44,000) which the respondent claimant petitioners would be entitled to get in this case.

[14] In view of the facts and circumstances of the case, the present appeal is partly allowed and the judgment and award of the Learned Tribunal below is modified to the extent that the respondent claimant petitioners would be entitled to get the award of Rs.3,13,80,000/- with 7% interest per annum from the registration of the claim petition w.e.f.27.09.2022 to till the date of realization. The disbursement of amount to the respondent claimant petitioners would be made in pursuance of the operative portion of the judgment delivered by Learned Member MACT, Dhalai Judicial District, Ambassa on 08.07.2024. The appellant-Insurance Company be asked to deposit the said amount, if not deposited to the Tribunal below within a period of 3(three) months from the date of receipt of a copy of this judgment and order.

A copy of this judgment/order be supplied to Learned counsel for the appellant Insurance Company free of cost for information and immediate compliance. Also send down the LCR along with a copy of this judgment and order.

SABYASACHI
BHATTACHARJEE
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Digitally signed by
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BHATTACHARJEE
Date: 2025.04.30 01:20:11
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JUDGE