

IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE

IA No. CAN 3 of 2016 (CAN 429 of 2016)
in
FMA 931 of 2004

United India Insurance Company Limited
Vs.
Smt. Sarbani @ Sharbani Bhattacharya
@ Bhattacharjee & Ors.

Mr. Saidur Rahaman
... For the appellants/claimants

In re: CAN 3 of 2016 (CAN 429 of 2016)

This is an application for recalling of the order dated 23rd December, 2015 whereby the application, being CAN 10665 of 2015, was dismissed for default.

It is submitted that the aforesaid application, being CAN 10665 of 2015, was filed for disbursement of the award in favour of the claimants by the learned Registrar General. The instant application, being CAN 3 of 2016 (CAN 429 of 2016) was filed on 15th January, 2016 for recalling of the order dated 23rd December, 2015.

From the order dated 17th July, 2015, it appears that the appeal was dismissed on merit but no order was passed with a direction upon the learned Registrar General to disburse the awarded amount in favour of the claimants deposited by the appellant/Insurance Company.

Considering all facts and circumstances, the order dated 23rd December, 2015 is recalled and CAN 10665 of 2015 is restored to its original file and number.

The application, being CAN 3 of 2016 (CAN 429 of 2016), stands disposed of.

In re: CAN 10665 of 2015

This application was filed with a prayer for disbursement of the deposited amount with the office of the learned Registrar General to the respondent/claimant nos.1 to 4 and in the meantime the respondent/claimant no.2 Sukanta Bhattacharya @ Bhattacharjee and the respondent/claimant no.3 Achintya Bhattacharya @ Bhattacharjee became major.

Accordingly, the learned Registrar General is requested to disburse the compensation amount with accrued interest to the respondent/claimant nos.1 to 4 in equal share on proper verification and proof of identification.

With the above direction, the CAN 10665 of 2015, stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

(Bibhas Ranjan De, J.)