**08.01.2021**
Item No. 8

**F.M.A. 31 of 2018**
**With**
**C.A.N. 1 of 2017 (Old No. C.A.N. 3682 of 2017)**
**C.A.N. 3 of 2019 (Old No. C.A.N. 1097 of 2019)**

**Reliance General Insurance Co. Ltd.**
**Vs.**
**Smt. Gaytri Bauri and others.**

**Mr. K. K. Das,**
**Mrs. Gopa Das Mukherjee.**
**... for the appellant.**

**Mr. Amit Ranjan Roy.**
**... for the claimants/respondents.**

**Re: C.A.N. 3 of 2019 (Old No. C.A.N. 1097 of 2019)**

CAN 3 of 2019 (Old No. CAN 1097 of 2019) arising out of FMA 31 of 2018 seeking modification of the order dated 18th December 2018 directing the claimant no. 1/respondent to invest mandatory amount for the minors, entitled to the award in an interest bearing fixed deposit scheme with a further direction to renew the same until the children get their majority and further permitting the claimant no. 1 to withdraw the interest component for her sustenance, needs to be modified by reason of the minors, for whom the awarded sum of the minors was deposited in an interest carrying scheme, having already reached their majority.

The stand of the appellant is ratified by the production of a certified copy of the order no. 49 dated 2nd December 2016 passed in MACC No. 28 of 2012 giving rise to the instant appeal, recording attainment of majority of the minor children on the date shown therein, after allowing necessary amendment in respect of the claim petition. Let the document be kept on record.

The children born out of the claimant no. 1 having already attended majority, and that too being already recorded in the order of the learned Court below, we find justification to accept the same, as the same fact goes uncontroverted.

C.A.N. 3 of 2019 (Old No. C.A.N. 1097 of 2019) is disposed of permitting the amount lying deposited in the bank being the awarded sum of the minor children to be withdrawn upon observing formalities.

This order shall be read conjointly with the order dated 18th December 2018.

ab **(Harish Tandon, J.)**

**(Subhasis Dasgupta, J.)**