

05.09.2023
SL No.23
Court No. 551
Ali

**IN THE HIGH COURT AT CALUTTA
Civil Appellate Jurisdiction**

FMA 360 of 2014

**IA NO:CAN/1/2013 (Old No.:CAN/11107/2013)
CAN/2/2023.**

**United India Insurance Co. Ltd.
Vs.
Dipti Maiti & Ors.**

Ms. Juin Dutta Chakraborty
...for the claimants/respondents Nos. 1-4.

In Re.:CAN 2 of 2023.

This is an application for appropriate order from this court. It is the submission of the learned advocate for the claimants/respondents that during the pendency of the instant appeal the respondent No. 5, namely, Smt. Gouri Maiti has expired on 13.10.2018. The copy of death certificate was also annexed with the application. So, he prayed necessary order may be passed in deleting the name of respondent No. 5 from the cause title of the memo of the appeal.

Heard the learned advocate perused the application being CAN 2 of 2023 also perused the certificate of death of respondent No. 5.

The CAN 2 of 2023 is disposed of with a direction that the name of respondent No. 5 be deleted from the cause title of the memo of the appeal. It further ordered that the respondent No. 5

was the mother of the deceased and on her demise the dependency comes to only upon respondent Nos. 1-4.

The learned Registrar General is directed to disburse the amount equally in favour of respondent Nos. 1-4 in pursuant to the direction given by the Hon'ble Division Bench of this court on the earlier occasion.

The department is directed to make out the correction as mentioned herein above within a fortnight.

CAN 2 of 2023 is disposed of.

(Subhendu Samanta, J.)