17.05.2022
(D/L-07)
Ct.-18
(Susanta)

FMAT 359 of 2010
With
I.A. No. CAN 1 of 2010 (Old CAN 4387 of 2010)
I.A. No. CAN 3 of 2011 (Old CAN 2019 of 2011)
I.A. No. CAN 5 of 2021

The New India Assurance Co. Ltd.
-Vs-
Smt. Badrunnesa & Ors.

Mr. Soumendranath Ganguly,
Mr. Siddhartha Goswami,
.... For the Appellant.

Mr. Amit Ranjan Roy,
For the Respondent No. 1& 2.

Re: **I.A. No. CAN 5 of 2021**

The Hon'ble Division Bench by the judgment and order dated December 20, 2019 has disposed of the appeal.

This is an application for correction of some typographical errors of the said judgment.

Both the Hon'ble Judges of the said Division Bench are not available now as they have retired in the meantime.

An appeal under Section 173 of the Motor Vehicles Act, 1988 due to change of Appellate Side Rules is now required to be heard by the Single Bench, as such, this application, has been placed before this Court having determination at present.

In the fourth paragraph at page 2 of the said judgment, the awarded amount due to typographical mistake has erroneously gone down as Rs. 6,28,500/- instead of **5,32,500/-.** Similar mistake has occurred in the first paragraph at page 3 of the said judgment.

The said mistakes are required to be corrected.

Another typographical mistake has occurred in the said first paragraph at page 3 of the said judgment where **'claimants/respondents'** has erroneously gone down instead of 'claimant/respondent', the said mistake is required to be corrected also.

The department is directed to carry out the necessary correction in the said judgment and order dated December 20, 2020 in the manner as indicated above and also in the certified copy of the said judgment, if already supplied to the parties.

The other portion of the said order shall remain unaltered.

The application being I.A. No. CAN 5 of 2021 is disposed of with the above terms without any order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)