01,DL,Ct.05.
01.12.2020.
SN/AJ.

F.M.A. 401 of 2017

I.A. No. CAN 2 of 2020

The New India Assurance Co. Ltd.
-Vs-
Miron Mondal & Anr.

Mr. Sanjay Pal.
… for the appellant.

Mr. L.M. Ghosh.
….for the claimant/ respondent.

The appeal being F.M.A. No. 401 of 2017 was filed by the New India Assurance Company Limited against a judgment and award dated July 13, 2016 passed by the learned Judge, Motor Accident Claims Tribunal, Basirhat, 24-Parganas (North) directing the appellant to pay compensation to the respondent no.1, being the victim of an accident to the tune of Rs.11,68,460/-, together with interest at the rate of 9 percent, per annum from the date of application till payment.

After the appeal was admitted in terms of an order dated January 13, 2017 passed by the Division Bench of this Court, the appellant Insurance Company deposited Rs.17,53,202/- with the Registrar General of this Court and the said amount remain invested in a short term fixed deposit maintained with a nationalized bank.

The appellant Insurance Company and the victim, being the respondent no.1 have now jointly filed this application being C.A.N. 2 of 2020 recording settlement of their disputes out of Court. As per terms of settlement arrived at by and between the appellant and the respondent no.1 as recorded in paragraph 6 of the application, the respondent no.1 is ready to receive a total compensation of Rs.17,53,202/- with interest accrued thereon from the Registrar General of this Court in full and final settlement of his claim against the appellant - insurance company.

In view of the above terms of settlement entered into between the appellant and the respondent no.1, the appeal being F.M.A. 401 of 2017 as well as C.A.N. 2 of 2020 are disposed of by directing the Registrar General of this Court to forthwith encash the Short-term Fixed Deposit maintained by him in the Nationalized Bank in terms of the order dated January 13, 2017 and make over the proceeds thereof to the respondent no.1, after deduction of usual charges, by a banker's cheque.

All parties including the bank shall act upon the certified website copy of this order.

(Ashis Kumar Chakraborty, J.)