

N.22S1
151/CL
19.03.25
Sl-26
Ct.33
(S.R.)

FMA 1443 of 2007

With

CAN 3 of 2020

The New India Assurance Co. Ltd.

v.

Sri Ahin Kumar Chakraborty

Mr. Parimal Kumar Pahari
... for the appellant/insurance company.

Mr. Krishanu Banik
Mr. Tathagata Banik
... for the respondent/claimant.

In re: CAN 3 of 2020

The learned advocate representing the respondent/claimant submits to have filed an application being CAN 3 of 2020 along with a supplementary affidavit, *inter alia*, stating that the sole respondent/claimant, who suffered injury and had filed an application under Section 166 of the Motor Vehicles Act, which was assailed before this Hon'ble Court and was disposed of on 13th January, 2020. However, the sole respondent/claimant expired on 6th January, 2020 and sought for substitution of the applicants being the wife and son of the deceased victim, as aforesaid.

Heard the submissions of the learned advocates representing both the parties and perused the contentions along with the document in CAN 3 of 2020 as well as the supplementary affidavit.

The department is directed to substitute the

applicants as the respondent nos.1 and 2/claimants in the cause title of the memo of appeal.

The office of the Registrar General is to disburse the balance amount of Rs.3,75,000/- along with accrued interest in equal proportion through two distinct cheques.

Copy of the order be communicated to the office of the learned Registrar General, High Court at Calcutta for information and necessary action.

Accordingly, the application being CAN 3 of 2020 is disposed of.

(Ananya Bandyopadhyay, J.)