

Ct. 30.6
No. 26
2021
6
akb

F.M.A.T. 1173 of 2011

(Via Video Conference)

Sima Roy & Ors.

Vs.

The New India Assurance Co. Ltd. & Anr.

Mr. Jayanta Kumar Mandal ...For the Appellants/Claimants

Mr. Sanjay Paul ...For the Respondent/Insurance Co.

This appeal has been preferred by the claimants for enhancement of the amount awarded by award and/or judgment dated August 17, 2009 passed by the learned Judge, Motor Accident Claims Tribunal, 2nd Court, Burdwan, in M.A.C Case No. 84/249 of 2008.

Mr. Jayanta Kumar Mandal, learned Counsel appearing on behalf of the appellants/claimants submits that the matter has been settled with the Insurance Company and the Insurance Company is now required to pay an additional sum of Rs.1,30,000/- by way of enhancement. He further submits that he does not wish to pursue this appeal. It is further submitted that the awarded sum has already been paid to the claimants/appellants.

In the light of the above submission, the Insurance Company is directed to pay the enhanced sum of Rs.1,30,000/- to the claimants bank account directly within a period of four weeks from the date of receipt of the bank account details of the appellants.

Learned Counsel for the appellants will forward the bank account details of the appellants within a fortnight from date to the learned Counsel for the Insurance Company. The payment shall be made in the same manner and proportion as decided by the Court below.

With the aforesaid directions the instant appeal is disposed of.

There shall be no further order as to costs.

The Registry is directed to send down the lower Court records at once, if received by this time.

Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of all formalities, on priority basis.

(*Shekhar B. Saraf, J.*)