

22.06.2021

SS +Sc

Item No. 7

F.M.A. 253 of 2012

with

IA No. 1 of 2010 (Old No. CAN 3348 of 2010)

(Via Video Conference)

The New India Assurance Co. Ltd.

Vs.

Parbati Shaw & ors.

Mr. Sanjay Paul

...For the Appellant/ Assurance Co.

Mr. Muktakesh Das

...For the respondents/claimants

This appeal has been filed by the Assurance Company against judgment and award dated January 30, 2010 passed by the learned Judge, Motor Accident Claims Tribunal, Fast Track 3rd Court, Barasat North 24-Parganas in M.A.C. Case No. 121 of 2008.

Mr. Sanjay Paul, learned counsel appearing on behalf of the appellant/Assurance Company submits that the matter has been settled with the claimants and the claimants are at liberty to withdraw the awarded amount of Rs.4,31,900/- lying with the Registrar General of this Hon'ble Court along with accrued interest, if any. He further submits that he does not wish to pursue this appeal.

In light of the above submissions, the claimants are at liberty to withdraw the awarded amount of Rs.4,31,900/- lying with the Registrar General of this Hon'ble Court along with accrued interest within a period

of four weeks from the date of communication of this order.

The claimants/respondents shall furnish particulars of their respective bank accounts as also proof of identity with the Registrar General of this Hon'ble Court as expeditiously as possible. Upon deposit of such details, the Registrar General is directed to pay the aforesaid amount deposited along with any accrued interest to the claimants/respondents in accordance with law in the same manner and proportion as indicated in the award within a period of four weeks. The Registrar General shall check the veracity of the bank accounts and the identity of the claimants before disbursing the amount.

With the aforesaid directions, the instant appeal is disposed of.

In view of disposal of the instant appeal, the connected application is also disposed of.

LCR, if any, may be returned back to the Court below.

There shall be no order as to costs.

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.)