

13.07.2021

SS

F.M.A. 123 of 2018

With

**I.A. CAN 2 of 2018 (old no. CAN 597 of 2018)
(Via Video Conference)**

The National Insurance Co. Ltd.

Vs.

Smt. Mallika Jana & ors.

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

**Mr. Jayanta Kr. Mandal
 ...For the Claimants/Respondents**

The Instant appeal is directed against the judgment and award dated July 27, 2017 passed by the learned Judge, Motor Accident Claims Tribunal, 5th Court, Paschim Medinipur in Motor Accident Claim Case No. 205 of 2012.

Mr. Sanjay Paul, learned Counsel appearing on behalf of the appellant/Insurance Company submits that the Insurance Company does not wish to pursue the instant appeal any further. He further submits that the matter has been settled with the claimants/respondents that the claimants are entitled to get Rs.45,00,000/- as full and final settlement and the balance amount which is kept with the Registrar General of this Hon'ble Court shall be refunded back to the Insurance Company.

In the light of the above submissions, the claimants/respondents shall furnish particulars of their bank accounts as also proof of identity with the Registrar General of this Court as expeditiously as possible. Upon deposit of

such details, the Registrar General is directed to pay Rs.45,00,000/- to the claimants/respondents in the same manner and proportion as per 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 amounts. The balance amount shall be returned to the appellant/Insurance Company along with accrued interest, which is kept with the Registrar General.

With the aforesaid directions the instant appeal is disposed of.

There shall be no further order as to costs.

In view of disposal of the appeal, the connected applications are also disposed of.

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

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.)