

Ct. No. 26
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F.M.A.T. 21 of 2013
(Via Video Conference)
Smt. Sujata Halder @ Puspa Halder
Vs.
National Insurance Co. Ltd. & Anr.

Mr. Jayanta Kumar Mandal ...For the Appellant/Claimant

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

On the oral prayer of the learned Counsel appearing on behalf of the appellant, the delay in filing the appeal is condoned. No serious objection has been raised by Mr. Sanjay Paul, learned Counsel appearing on behalf of the Insurance Company/respondent.

The application for condonation of delay is disposed of.

The concerned Department is directed to trace out the application and tag the same with this appeal.

The Instant appeal is directed against the judgment and award dated February 28, 2012 passed by the learned Judge, Motor Accident Claims Tribunal, 7th Additional District Judge, Barasat, North 24-parganas, in M.A.C. Case No. 399 of 2006.

Mr. Jayanta Kumar Mandal, learned Counsel appearing on behalf of the appellant/claimant 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.80,000/- 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 claimant/appellant.

In the light of the above submission, the Insurance

Company is directed to pay the enhanced sum of Rs.80,000/- to the claimant's bank account directly within a period of four weeks from the date of receipt of the bank account details of the appellant.

Learned Advocate for the appellant will forward the bank account details of the appellant within a fortnight from date to the learned Advocate 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.

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.)