

Ct. 29.6
No. 26
2021
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akb

F.M.A. 657 of 2009

(Via Video Conference)

Pinku Dey

Vs.

The New India Assurance Co. Ltd. & Ors.

Mr. Krishanu Banik

...For the Appellants/Claimants

Mr. Sanjay Paul

...For the Respondent/Insurance Co.

The Instant appeal is directed against the judgment and award dated August 02, 2008 passed by the learned Additional District Judge, Fast Track Court No. 1, Alipore, South 24-Parganas, in M.A.C. Case No. 207 of 2007.

Mr. Krishanu Banik, 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.2,75,000/- 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.2,75,000/- 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.

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.*)