

Ct. No. 26
4
akb

**29.6
2021**

F.M.A.T. 185 of 2012

(Via Video Conference)

Smt. Purnima Majhi & Ors.

Vs.

The New India Assurance Co. Ltd. & Ors.

Mr. Krishanu Banik **...For the Appellants/Claimants**

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

Re. IA No. CAN 1 of 2021 (Condonation of Delay).

C.A.N. 1 of 2021 is an application for condonation of delay in filing the appeal.

Causes being sufficient, delay is condoned and the appeal is taken up for final disposal by consent of the parties.

The application for condonation of delay is disposed of.

The Instant appeal is directed against the judgment and award dated September 14, 2010 passed by the learned Judge, Motor Accident Claims Tribunal, Fast Track 2nd Court, Burdwan, in M.A.C. Case No. 268/120 of 2006/2006.

Mr. Krishanu Banik, 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.2,10,000/- 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.2,10,000/- to the claimants bank accounts directly within a period of four weeks from the date of receipt of the bank

account details of the appellants.

Learned Advocate for the appellants will forward the bank account details of the appellants 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.*)