

Ct. 23.6
No. 2021
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F.M.A. 1149 of 2013
(Via Video Conference)
Ganesh Maity @ Chanchal Maity & Ors.
Vs.
The New India Assurance Co. Ltd. & Anr.

Mr. Krishanu Banik ...For the Appellant/Claimant

Mr. Animesh Das ...For the Respondent/Insurance Co.

This appeal has been filed by the claimants for enhancement of the amount awarded by judgment and award dated September 10, 2012 passed by the learned Additional District & Sessions Judge, Motor Accident Claims Tribunal, Fast Track 3rd Court, Tomluk, Purba Medinipur, in M.A.C. Case No. 85/442 of 2009/2008.

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.2,30,000/- 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.2,30,000/- 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 appellants 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.

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.*)