

S/L 12
24.6.2021
Court No.26
SD

FMAT 298 of 2016
With
CAN 1 of 2016
(Old CAN 12311 of 2016)
(Via Video Conference)

Sananda Biswas & Anr.
Vs.
Shriram General Insurance Co. Ltd. & Anr.

Mr. Amit Ranjan Roy
...for the Appellants/Claimants.
Mr. Rajesh Singh
...for the Respondents/Insurance Co.

CAN 1 of 2016 (Old CAN 12311 of 2016):-

This is an application for condonation of delay in filing the instant appeal.

On perusal of the pleadings, this Court is satisfied that cause shown for delay in filing of the appeal is sufficient and prayer for condonation of delay should be allowed.

Accordingly, the application for condonation of delay being CAN 1 of 2016 stands allowed.

FMAT 298 of 2016:-

This appeal has been filed by the appellants/claimants for enhancement of the amount awarded by judgment and award dated December 5, 2015 passed by the learned District Judge, Motor Accident Claims Tribunal, Nadia in M.A.C. Case No. 120 of 2014.

Mr. Amit Ranjan Roy, 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 a further sum of Rs.2,00,000/- by way of enhancement. He further submits that he does not wish to pursue this appeal and withdraw the

same. It is further submitted that the awarded sum has already been paid to the appellants/claimants.

In the light of the above submission, the respondent/Insurance Company is directed to pay the enhanced sum of Rs.2,00,000/- to the appellants/claimants' bank accounts directly within a period of four weeks from the date of receipt of the bank details in the manner and proportion as provided in the award.

The respondents/claimants are directed to provide their bank details to the Insurance Company within a period of two weeks from date.

With the aforesaid directions, the instant appeal is disposed of.

There shall be no order as to costs.

In view of the disposal of this appeal, connected application, if any, is also disposed of.

The Registry is directed to send down the lower court records at once, if received by this time.

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.)