

Ct. No. 26
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2021

F.M.A.T. 515 of 2018

(Via Video Conference)

Saraswati Rajak & Ors.

Vs.

Bajaj Allianz General Insurance Co. Ltd. & Anr.

Mr. Saidur Rahaman **...For the Appellants/Claimants**

Mr. Rajesh Singh **...For the Respondent/Insurance Co.**

On the oral prayer of the learned counsel appearing on behalf of the appellants as also by consent of the parties, the delay in filing the appeal is condoned. The application is disposed of.

The concerned department is directed to tag the application for condonation of delay with this main appeal.

This appeal has been filed by the claimants for enhancement of the amount awarded by order and award dated February 09, 2018 passed by the learned Judge, Motor Accident Claims Tribunal, Additional District Judge, 1st Court, Sadar, Cooch Behar, in M.A.C. Case No. 71 of 2007.

Mr. Saidur Rahaman, 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. 1 (one) lakh 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. 1 (one) lakh to the claimants bank account directly within a period of four weeks from the date of receipt of the bank account

details of the appellants. The payment shall be made in the same proportion as decided by the Court below.

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 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.)