

Ct. No. 26
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2021

F.M.A. 2701 of 2016

(Via Video Conference)

Pinki Barman & Ors.

Vs.

The New India Assurance Co. Ltd. & Anr.

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

Ms. Sayani Santra **...For the Respondent/Insurance Co.**

This appeal has been filed by the claimants for enhancement of the amount awarded by order and award dated October 09, 2015 passed by the learned Judge, Motor Accident Claims Tribunal, Additional District and Sessions Judge, 2nd Court at Raiganj, District – Uttar Dinajpur, in M.A.C. Case No. 64 of 2014.

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.55,000/- 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.55,000/- 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.

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.

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