

Ct. No. 26
23.6
2021
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F.M.A.T. 2892 of 2004
(Via Video Conference)
Mst. Sakila Begam & Ors.
Vs.
New India Assurance Co. Ltd. & Ors.

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

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

On the oral prayer of the learned Counsel appearing on behalf of the appellants, the delay in filing the appeal is condoned. No serious objection has been raised by Mr. Sanjay Paul, learned Counsel appearing on behalf of the Insurance Company/respondent.

The application for of delay is disposed of.

The concerned Department is directed to tag the application with the main appeal.

This appeal has been filed by the claimants for enhancement of the amount awarded by judgment and award dated February 20, 2004 passed by the learned Judge, Motor Accident Claims Tribunal, Additional District Judge, 5th Court, Midnapore, in M.A.C. Case No. 553 of 2001.

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.5,00,000/- 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.5,00,000/-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 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.)