

Ct. 08.6
No. 26
2021
8
akb

F.M.A.T. 777 of 2016
(Via Video Conference)
Monoranjan Mondal & Ors.
Vs.
The Branch Manager,
Bajaj Allianz General Insurance Co. Ltd. & anr.

Mr. Krishanu Banik ...For the Appellants

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

In re.: C.A.N. 2 of 2021 (Substitution)

This is an application for substitution of the heirs and legal representatives of the appellant No. 4, being 4(a) Smt. Padma Mondal, 4(b) Tandra Mondal, 4(c) Sangita Mondal and 4(d) Diptanshu Mondal.

I have perused the application and I am of the view that the said application may be allowed.

Accordingly, the application for substitution, being CAN 2 of 2021 is allowed.

The department is directed to amend the cause title of the Memorandum of Appeal by incorporating the necessary changes.

F.M.A.T. 777 of 2016.

This appeal has been filed by the claimants for enhancement of the amount awarded by award and/or judgment dated May 25, 2016 passed by the learned Judge, Motor Accident Claims Tribunal-cum-Additional District Judge, (Redesignated) Court, Bankura in M.A.C Case No. 13/162 of 2015/2013.

Mr. Rajesh Singh, learned Counsel appearing on behalf of the Insurance Company/respondent submits that

the matter has been settled out of Court and an enhanced amount of Rs. 3,10,000/- is required to be paid to the appellants/claimants. He further submits that the awarded sum had already been paid to the appellants.

In the light of the above submission, the Insurance Company is directed to pay the enhanced sum of Rs.3,10,000/- to the claimants' bank account directly within a period of four weeks from the date of communication of this order.

It may be noted that the share of the claim amount payable to the appellant No. 4 shall equally be distributed amongst the four added appellants, being the appellant Nos. 4(a), 4(b), 4(c) and 4(d). All the payments should be made by electronic transfer (NEFT) within a period of four weeks from the date of receipt of the Bank details.

The appellants are directed to supply their Bank details along with the proof of identity to the learned Advocate-on-Record of the Insurance Company within a period of fifteen days from date.

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.)