

01.09.2021

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F.M.A. 355 of 2021
I.A. CAN 2 of 2020 (old No.434 of 2020)
(Via Video Conference)

Debashree Mukherjee & ors.
Vs.
The New India Assurance Co. Ltd. & anr.

Ms. Sima Ghosh

...For the Appellants/claimants

Ms. Sayanti Santra

**... For the respondent No.1/
Insurance Co.**

The appeal is directed against the judgment and order dated February 24, 2012 passed by the learned Additional District & Sessions Judge cum learned Judge, Motor Accident Claims Tribunal, 4th Court, Suri, Birbhum in MAC Case No. 67 of 2011.

Ms. Sima Ghosh, 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.7,00,000/- by way of enhancement. She further submits that she does not wish to pursue this appeal. It is further submitted that the awarded sum has already been paid to the claimants/appellants.

In light of the above submissions, the Insurance Company is directed to pay the enhanced sum of Rs.7,00,000/- to the claimants/appellants' bank accounts directly within a period of 45 days from the date of receipt of the bank particulars of the appellants.

Learned Advocate for the appellants will forward the bank account details of the appellants to the learned Advocate for the Insurance Company within a period of fortnight from date. The payment shall be made in the same manner and proportion as per award after expunging the name of the appellant no.3, Pusparani Mukherjee, who has expired on 19.08.2016.

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 concerned Department is directed to tag the application, if any, with the main appeal.

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.)