

S/L 16 & 17
24.6.2021
Court No.26
SD

FMAT 879 of 2017
With
CAN 1 of 2017
(Old CAN 9319 of 2017)
with
CAN 2 of 2017
(Old CAN 9361 of 2017)
with
COT 22 of 2020
(Via Video Conference)

Bajaj Allianz General Insurance Co. Ltd.
Vs.
Sri Samir Samanta & Anr.

Mr. Rajesh Singh

...for the Appellant/ Insurance Co.

Mr. Subhankar Mandal

...for the Respondents/Claimants.

This appeal has been filed by the appellants/claimants for enhancement of the amount awarded by judgment and award dated April 4, 2017 passed by the learned Judge, Motor Accident Claims Tribunal, 5th Court, Barasat, North 24-Parganas in M.A.C. Case No. 35 of 2010.

Mr. Rajesh Singh, learned counsel appearing on behalf of the appellant/Insurance Company, submits that the matter has been settled out of Court and the Insurance Company does not wish to pursue the appeal. He submits that a sum of Rs.14,28,030/- is lying with the Registrar General of this Court and the entire sum of money along with accrued interest may be withdrawn by the claimants.

Mr. Subhankar Mondal, counsel appearing on behalf of the respondents/claimants submits that the claimants may be allowed to withdraw the money upon production of bank particulars before the Registrar General of this Court. He

also does not wish to pursue the cross-appeal being COT 22 of 2020.

In light of the above submission, the claimants/respondents shall furnish particulars of their respective Bank accounts with the Registrar General of this Court as expeditiously as possible. Upon receipt of such details, the Registrar General is directed to pay the deposited amount along with any accrued interest to the claimants/respondents in accordance with law. The Registrar General shall check the veracity of the bank accounts and the identity of the claimants before disbursing the amounts.

Such payment must reach the claimants within four weeks from the date of receipt of the Bank details from the claimants/respondents.

With the aforesaid directions, the instant appeals are disposed of.

There shall be no order as to costs.

In view of the disposal of these appeals, connected application, if any, is also disposed of.

The Registry is directed to send down the lower court records at once, if received by this time.

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.)