

Ct. No. 26
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F.M.A.T. 1489 of 2009

Rashbehari Maity & Ors.

Vs.

Bishnupada Rana & Anr.

Mr. Jayanta Kumar Mondal ...For the Appellants/Claimants

Ms. Sucharita 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 Ms. Sucharita Paul, learned Counsel appearing on behalf of the Insurance Company/respondent.

This appeal has been filed by the claimants for enhancement of the amount awarded by order and award dated August 11, 2006 passed by the learned Judge, Motor Accident Claims Tribunal, Additional District Judge, 2nd Fast Track Court at Contai, District – Purba Medinipore, in M.A.C. Case No. 31 of 2006.

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.70,000/- by way of enhancement. He further submits that he does not wish to pursue this appeal and withdraw the same. 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.70,000/- to the claimants bank account directly within a period of four weeks from the date of communication of this order.

With the aforesaid directions the instant appeal is disposed of.

In view of the disposal of this appeal, connected applications are 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.*)