

S/L 13 & 14
25.6.2021
Court No.26
SD

FMAT 314 of 2016

Tripti Rahi Pal
Vs.
Firoj Shaikh & Anr.
With
FMAT 1179 of 2015

Firoj Shaikh & Anr.
Vs.
Tripti Rahi Pal

(Via Video Conference)

Mr. Muktakesh Das

...for the Appellants/Claimants.

Mr. Rajesh Singh

...for the Respondents/Insurance Co.

FMAT 314 of 2016:-

It appears to this Court that the instant appeal has been filed out of statutory period. Being satisfied with the cause for delay in filing the instant appeal and since counsel appearing on behalf of the respondent/Insurance Company did not oppose, this Court condones the delay in filing the instant appeal and the instant appeal is taken up for hearing.

This appeal has been filed by the appellants/claimants against the judgment and award dated April 1, 2015 passed by the Motor Accident Claims Tribunal & District Judge, Nadia at Krishnagar in M.A.C. Case No. 319 of 2012.

Mr. Muktakesh Das, 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 a consolidated sum of Rs.19,00,000/-. He further submits that he does not wish to pursue this appeal and withdraw the same.

In the light of the above submission, the respondent/Insurance Company is directed to pay the consolidated sum of Rs.19,00,000/- to the appellants/claimants' bank accounts directly within a period of four weeks from the date of receipt of the bank details in the manner and proportion as provided in the award.

The appellants/claimants are directed to provide their bank details to the Insurance Company within a period of two weeks from date.

FMAT 1179 of 2015:-

On the oral prayer of the counsel appearing on behalf of the appellant/Insurance Company, the delay in filing of the instant appeal is condoned.

The application being CAN 10816 of 2015 stands allowed.

The instant appeal has been filed by the appellant/Insurance Company.

Mr. Rajesh Singh, counsel appearing on behalf of the Insurance Company submits that the statutory deposit of Rs.25,000/- lying with the Registrar General of this Court may be refunded to his client.

In light of the same, the Registrar General of this Court shall make over to the appellant/Insurance Company statutory deposit of Rs.25,000/- along with accrued interest if an approach in this behalf is made.

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 applications, if any, are 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.)