

Ct. 14.7
No. 26 2021
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akb

F.M.A.T. 3089 of 2007
(Via Video Conference)
Smt. Mamtaj @ Mamtaj Begum & Ors.
Vs.
Goutam Das & Anr.

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

Mr. Sanjay Paul ...For the Respondent/Insurance Co.

On the oral prayer of the learned Counsel appearing on behalf of the appellants/claimants, the delay in filing the appeal is condoned. No serious objection has been raised by Mr. Sanjay Paul, learned Counsel appearing on behalf of the respondents/Insurance Company.

The application for condonation of delay is disposed of. The concerned Department is directed to trace out the application and tag the same with this appeal.

Mr. Jayanta Kumar Mandal, the 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.3,50,000/- by way of enhancement. He further submits that he does not wish to pursue this appeal. 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.3,50,000/- claimants through their bank accounts directly within a period of 45 days from the date of receipt of the bank account details of the appellants/claimants.

Learned Counsel for the appellants/claimants will forward the bank account details of the appellants within a

fortnight from date to the learned Counsel for the Insurance Company. The payment shall be made in the same manner and proportion as decided by the Court below.

With the aforesaid directions the instant appeal is disposed of. In view of 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.*)