

04.08.2021

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(Via Video Conference)
F.M.A.T. 586 of 2020
I.A. No. CAN 1 of 2021

Maijun & ors.
Vs.
The Divisional Manager, The New India Assurance Co.
Ltd. & ors.

Mr. Subir Banerjee ...For the Appellants/claimants
Ms. Sucharita Paul ... for the respondent/Insurance Co.

CAN 1 of 2021

Since the original application is not found in the file, the photocopy of the application for condonation of delay is taken on record and the same be treated as original.

On perusal of the pleadings, this Court is satisfied that cause shown for delay in filing of the appeal is sufficient and prayer for condonation of delay should be allowed.

Accordingly, the application for condonation of delay being CAN 1 of 2021 stands allowed.

F.M.A.T. 586 of 2020

This appeal has been filed by the appellants/claimants for enhancement of the amount awarded by judgment and award dated February 4, 2020 passed by the learned Judge, Motor Accident Claims Tribunal, Additional District Judge, Fast Track 1st Court, Islampur, Uttar Dinajpur, in M.A.C. Case No. 155 of 2018 (C.I.S. No. 155 of 2018).

Mr. Subir Banerjee, 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 a further sum of Rs.6,00,000/- by way of enhancement. It is further submitted that the awarded sum has already been received by the appellants/claimants.

Insurance Company is represented and accepts the same.

In the light of the above submission, the respondent/Insurance Company is directed to pay a further sum of Rs.6,00,000/- to the appellants/claimants, directly in their bank accounts, within a period of four weeks from the date of receipt of the bank account particulars of the appellants, in the same proportion as directed by the Tribunal.

With the aforesaid directions the instant appeal is disposed of.

There shall be no further order as to costs.

In view of the disposal of this appeal, 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.)