

S/L. 66.
23.09.2021
pk

**Calcutta High Court
In The Circuit Bench At Jalpaiguri
Appellate Jurisdiction
(Via Video Conference)**

F.M.A.T. 39 of 2021

Smt. Jaya Ghatak and others
-Vs.-

United India Insurance Company Ltd. and another

Mr. Jayanta Banerjee,
Mr. Arijit Ghosh
... for the claimants/appellants

Mr. Rajesh Singh
... for the Insurance Company

The only question raised in the instant appeal against the award dated 12.02.2020 passed by the Learned Judge, Motor Accident Claims Tribunal, 1st Fast Track Court, Jalpaiguri in MAC Case No. 348 of 2016 is that the interest has not been awarded to the petitioner on the principal sum awarded. Interest has been awarded and limited to the instance if the Insurance Company defaulted in making payment as directed by the Tribunal.

Having heard the learned counsel for the parties, this Court is of the view that the writ petitioner is entitled to interest at the rate of 6 per cent per annum on the sum awarded by the Tribunal from the date of filing of the claim petition in the

court below till the date of actual payment thereof by the Insurance Company, if not already paid.

The interest, as directed above, shall be paid into the bank account of the claimants/appellants upon particulars being furnished by the learned counsel appearing on their behalf to the Insurance Company and/or counsel for the Insurance Company.

The appeal shall stand disposed of in terms of the above order.

In view of disposal of the appeal, connected application being CAN 1 of 2021 is also disposed of.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)