

25.09. 2023

item No.7

n.b.

ct. no. 551

FMA 1095 of 2010

with

IA No. CAN 2 of 2023

Khandekar Azmal Hossan & Anr.

Vs.

National Insurance Co. Ltd. & Anr.

Mr. Uday Sankar Chattopadhyay,
.....for the appellant.

Mr. Parimal Kumar Pahari,
.... For the respondent.

In Re. CAN 2 of 2022

This is an application for recording the death of appellant no.1, namely, Khandekar Azmal Hossain.

Learned advocate for the appellant submits that the appellant no.1 died during the pendency of the appeal. So, necessary order may be passed directing the learned Registrar General, High Court, Calcutta to disburse the cheque amount in favour of the appellant no.2.

Heard the learned advocate and perused the order dated December 5, 2022, it appears that the direction was given to the learned Registrar General, High Court, Calcutta to disburse the amount in favour of both the appellants. As the appellant no.1 has died and the appellant no.2 is the sole legal representative. Accordingly, the order passed by this Court on December 5, 2022 is partially modified.

The CAN 2 of 2023 is disposed of with a direction that the department shall make out a noting of death of appellant no.1 in the Cause Title of the Memo of the appeal.

Office of the learned Registrar General, High Court Calcutta is directed to do the needful in pursuance to the application being CAN 2 of 2023. So, the entire amount of compensation passed by this Court be disbursed in favour of the appellant no.2.

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

(Subhendu Samanta, J.)