

26.08.2022

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**FMAT (MV) 37 of 2022
with
CAN 1 of 2022**

**National Insurance Company Ltd.
-vs-
Puja Prasad & Ors.**

Mr. Rajesh Singh ...for the Appellant

Mr. Subhankar Mondal ...for the Respondents

CAN 1 of 2022

This is an application for stay of operation of the impugned award passed by the learned tribunal. Mr. Rajesh Singh, learned advocate for the appellant appearing for the National Insurance Company Limited submitted before this court that by virtue of the order dated 29.4.2022, the National Insurance company has deposited the entire awarded amount with the court During hearing. learned advocate for the appellant produced the challans wherefrom it appears that the amount of Rs. 25,000/- was deposited on 28.2.2022 and further amount of Rs. 38,78,068.00 paise had deposited on 28.5.2022 through two (2) challans. Consequently, the order of this court passed on 29.4.2022 has been sufficiently complied with and there was initial stay of three weeks.

Now, I find that there is no legal infirmity to disallow the prayer of the appellant. Accordingly, CAN 1 of 2022 is

allowed. There shall be a stay of operation of the impugned award passed by the learned tribunal till disposal of the appeal.

The appeal is otherwise ready for hearing. The appellant is directed to submit informal paper book by 9th September, 2022 after serving a copy to the respondents. Issue notice of appeal to the other respondents.

Call for the lower court records. The department is directed to call for the lower court records from the concerned tribunal on usual course.

Let the hearing of this appeal be fixed after vacation.

(Subhendu Samanta, J.)