

11-11-2022
Item no.16
Subrata
Bhattacharyya

IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction

FMAT No.66 of 2011
Bajaj Allianz General Insurance Company Limited
-vs-
Rekha Sarkar & Ors.
with
CAN No.1 of 2022

Mr. Amitava Mitra	
Ms. Antara Choudhury	...for the appellant
Mr. Jayanta Banerjee	...for the claimants

CAN No.1 of 2022 relates to substitution of the legal heir of respondent no.1, Rekha Sarkar who died on December 6, 2019.

The death certificate of Rekha Sarkar shows that the death of Rekha took place on December 6, 2019.

Hence the prayer for substitution is allowed. Subhra Sarkar is to be impleaded in the cause title of the memorandum of appeal in place of Rekha Sarkar.

The department is directed to do the needful.

CAN No.1 of 2022 is thus disposed of.

Learned advocate appearing on behalf of the appellant submits that the appellant is ready to pay the entire awarded amount, less the statutory amount of Rs.25,000/- which was deposited earlier.

Accordingly, the appellant is directed to deposit the awarded amount, less the statutory amount of Rs.25,000/-, with interest @ 9% p.a. within eight weeks from date in the

office of the Registrar General of this court. Accordingly, the insurance company is not inclined to proceed with the appeal any further.

Considering the submission, the appeal stands dismissed.

The claimant-respondent is at liberty to withdraw the whole amount along with the accrued interest from the office of the Registrar General of this court.

Pending application, if there be any, stands disposed of.

LCR, if any, shall be sent down to the tribunal forthwith.

[Bibhas Ranjan De, J]