

28.04.2023

Ct. no.654
Sl. No3.
sn

**IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE**

F.M.A. 1619 of 2018

**Jyotsna Roy & Anr.
Versus
The National Insurance Co. Ltd. & Anr.**

Mr. Amit Ranjan Roy ..for the appellant

Mr. Sanjay Paul ..for the respondents

This matter is appearing under the heading “*To be Mentioned*”.

By order dated 27.02.2023, the appeal was disposed of.

Mr. Sanjay Paul, learned advocate for the respondents-insurance company submits that the insurance company has already paid the interest on the awarded sum granted by the learned tribunal. However, at page 9 of the order, the interest on the compensation amount granted by the learned Tribunal had been allowed, which needs to be modified.

Mr. Amit Ranjan Roy, learned advocate for the appellants-claimants concurs with the submissions advanced on behalf of the insurance company.

In the aforesaid order, it is indicated at page 9 in 18th line that no interest on the compensation was received and thereafter in 23rd line of the same page interest has been awarded on the compensation amount granted by the tribunal. Since, both learned advocates

concede that the interest on the compensation amount granted by the learned tribunal has been received by the claimants accordingly the aforesaid order is modified as follows:

(i) At page 9 in 18th line, the words “*However, no interest on the compensation amount is received*” stand deleted.

(ii) At page 9 in 23rd line, the words “*The claimants are also entitled to interest at the rate of 6% per annum on the compensation amount granted by the learned tribunal from the date of filing of the claim application till the deposit was made before the learned tribunal*” stand deleted.

(iii) At page 10 in the 2nd line, the words “*and the interest on the compensation granted by the learned tribunal as indicated above*” also stand deleted.

The time period for depositing the compensation before the learned Registrar General, High Court, Calcutta in order dated 27.02.2023 is extended for a period of four weeks from date.

The aforesaid order is modified to the above extent.

The other portions of the order shall remain unaltered.

(Bivas Pattanayak, J.)