

04.1. 2024  
item No.2 & 3  
n.b.  
ct. no. 551

**FMA 1087 of 2010**

**New India Assurance Co. Ltd. & Anr.  
Vs.**

**Sulata Rani Bera & Ors.**

**With**

**COT 46 of 2023**

**Sulata Rani Bera & Ors.**

**Vs.**

**New India Assurance Co. Ltd. & Anr.**

Ms. Gopa Das Mukherjee,  
.....for the appellant(in FMA 1087 of 2010)  
Mr. Krishanu Banik,  
Mr. Tathagata Banik,  
.....for the respondent.  
.....for the appellant(In COT 46 of 2023)

The instant matter appears for correction.

Vide order dated 4.9.2023 this court has disposed of FMA 1087 of 2010 along with COT 46 of 2023. Just the proper compensation of this case was assessed at page 6 as Rs.6,41,200/-. It has been ordered that the Insurance Company shall pay the compensation along with 6% interest per annum from the date of filing of claim application i.e. from April 20, 2006.

Learned advocate for the Insurance Company Ms. Gopa Das Mukherjee submits that the Insurance Company has already deposited total awarded sum of Rs.3,98,000/- during the pendency of the instant appeal. Such deposited amount has to be deducted from the total

awarded. The Insurance Company is directed to deposit the rest amount of compensation within six weeks from the date of passing of the order. Let the order passed by this Court on September 4, 2023 is modified accordingly.

I make it clear the balance compensation amount shall be Rs.6,41,200/- along with 6% interest per annum from the date of filing of the order less already deposited amount.

This order may be part of the order dated September 4, 2023.

The Registrar General, High Court, Calcutta, is directed to comply the order as made hereinabove as early as possible.

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

**( Subhendu Samanta, J.)**