

03.08. 2023
item No.3 & 4.
n.b.
ct. no. 551

FMA 930 of 2022
+
IA No. CAN 1 of 2019(Old No. CAN 8725 of 2019)
+
CAN 2 of 2019(Old No. CAN 8726 of 2019)

National Insurance Company Limited
Vs.
Jharna Orang & Ors.

With
COT 84 of 2019
Jharna Orang & Ors.
Vs.
National Insurance Company Limited & Anr.

Both the appellant and the respondent including the claimant i.e. applicant of COT 84 of 2019 appeared.

It is submitted by both the parties that the matter was settled out of the court and on the basis of the said settlement, they agreed each other that the full and final settlement amount of Rs.4,34,000/- is to be the compensation amount of this. So, both the parties appeared before this Court with a prayer that matters may be disposed of in terms of the settlement.

The copy of the settlement arrived at between the parties is taken on record.

It appears that matter was settled outside the court so, there is no legal impediment to dispose of the appeals along with COT 84 of 219.

Hence it is ordered that the instant appeal being FMA no. 930 of 2022 along with COT 84 of 2019 are

disposed of in terms of the settlement arrived at between the parties. The Insurance Company has already deposited the amount of Rs.25,000/- as statutory deposit vide challan no.2578 dates 15.1.2019 and Rs.5,28,245/- vide chalan no.1448 dated August 4, 2022. The deposited amount obviously has accrued some interest and lying with the concerned bank.

Considering the facts and circumstances of the case and considering the terms of settlement, the claimants are at liberty to receive the amount of Rs.4,34,000/- from the office of the learned Registrar General, High Court Calcutta. The rest deposited amount along with accrued interest shall be refunded to the Insurance Company on the basis of the requisite prayers.

The Registrar General, High Court, Calcutta is hereby directed to do the needful, so that the amount as deposited by the Insurance Company may be disbursed according to the direction made above as early as possible.

Both the appeals being FMA 930 of 2022 and COT 84 of 2019 are disposed of.

All connected applications, if any, are also disposed of.

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

(Subhendu Samanta, J.)

