

N.22Sl

FMA 499 of 2023

151/CL

Jamrun @ Jamerun Nisha & Ors.

12.06.24

v.

Sl-49

Cholamandalam Ms General Insurance Co. Ltd. & Anr.

Ct.33

(S.R.)

Mr. Subhankar Mandal

... for the appellants.

Mr. Rajesh Singh

... for the respondents.

Heard the learned advocates appearing for the respective parties.

The appellants had filed the present appeal being FMA 499 of 2023 on the grounds that the income of the victim should have been considered to be Rs.6,000/- per month instead of Rs.5,000/- and the interest rate should have been 8% from the date of filing of the application (i.e. 04.10.2018).

The impugned order passed by the learned Additional District Judge, Uttar Dinajpur at Raiganj in MAC 150 of 2018 stipulated the compensation amount of Rs.10,48,000/- and the mode and manner in which the compensation award was to be paid by the insurance company to the claimants.

The learned advocate for the Insurance Company submits to have deposited the entire compensation amount of Rs.10,48,000/- at the office of the learned Registrar General, Calcutta High Court.

The learned advocate for the appellants submits

that the claimants have received the entire compensation amount of Rs.10,48,000/-.

During the pendency of the appeal, the dispute between the parties has been amicably resolved with a further consideration of Rs.2,50,000/- to be paid by the Insurance Company to the claimants.

The learned advocate for the Insurance Company is directed to deposit the aforesaid amount of Rs.2,50,000/- within 6 weeks from the date of communication of this order at the office of the Registrar General, Calcutta High Court.

The claimants would be at liberty to withdraw the said amount from the office of the Registrar General, Calcutta High Court with proper identification and in the same proportion, as denoted, in the impugned award passed by the learned court on proof of their identity.

Accordingly, the instant appeal being FMA 499 of 2023 is disposed of.

(Ananya Bandyopadhyay, J.)