

13.05.2024

Sl no. 4

Ct no. 25

P.M.

FMA 2032 OF 2018

Reliance General Insurance Co. Ltd..

- Vs -

Kranti Kumari Ram & Anr.

Ms. Gopa Das Mukherjee

... for the Appellant

Mr. Ashique Mondal

... for the respondent No. 1

This matter appears for correction.

It appears that on the earlier occasion on 21.03.2024 an order of correction was passed.

Having heard the learned advocates for the parties the order passed on 21.03.2024 is hereby recalled.

Ms. Gopa Das Mukherjee, learned advocate appearing on behalf of the Insurance Company submits that in pursuance to the direction of the Division Bench of this Court on 11.09.2018 the 50% of the awarded sum of Rs. 4,37,783/- was directly given to the appellant through NEFT and the rest 50% i.e. Rs. 4,37,783/- along with 8% interest upon the entire awarded sum was deposited with the office of the Registrar General, High Court at Calcutta.

Ms. Das Mukherjee show me the challan of such deposit it amount to Rs. 10,49,192/-.

Ms. Das Mukherjee further submits that the order passed by this Court on 28.02.2024 requires clarification in respect of deposit made by the Insurance company regarding the awarded sum along with the interest to the office of the learned Registrar General High Court at Calcutta.

It appears that at the time of filing of the claim application the Insurance company has deposited Rs. 25,000/- on 12.07.2018 and thereafter they have deposited an amount of Rs. 10,49,192/- on 04.10.2018 in pursuance to the direction of the Division Bench of this Court on 11.09.2018.

The just and proper compensation of this case is calculated to be Rs. 12,90,526/-. The claimant has already received an amount of Rs. 4,37,783/- the balance award comes to Rs. 8,52,743/-.

So, the scenario of this case suggests that the Insurance company has directly paid to the claimant an amount of Rs. 4,37,783/- through NEFT and also deposited the amount of Rs. 10,74,192/-to the office of the Ld. Registrar General, High Court at Calcutta.

The office of the Ld. Registrar General, High Court at Calcutta is directed to disburse the deposited amount in favour of the claimant within four weeks along with the accrued interest.

After receiving the such amount the claimant shall inform the Insurance Company along with his bank particulars regarding the payment he has received through the office of the Registrar General, High Court at Calcutta.

After receiving such information the Insurance company shall calculate the entire award along with the direction of interest from the date of filing the claim application and shall disburse the same directly in the account of the claimant directly.

The Insurance company at the time of calculating the entire award shall take note that they shall calculate the balance awarded amount Rs. 8,53,753/- together with interest at 6% per annum from the date of filing of the claim application i.e, 06.01.2010 to its actual realisation and interest @ 6% per annum on an upon an amount of Rs. 4,37,783/- from the date of filing i.e. from 06.01.2010 till the date of receiving of the amount by the claimants through NEFT.

Let this order made a part of the order/judgement dated 28.02.2024.

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

(Subhendu Samanta, J.)