

18.1. 2024
item No.14
n.b.
ct. no. 551

FMAT(MV) 114 of 2023

Oriental Insurance Co. Ltd.
Vs.
Manju Das & Ors.
With
COT 103 of 2023

Manju Das & Anr.
Vs.
Oriental Insurance Co. Ltd. & Anr.

Ms. Sucharita Paul,
.....for the appellant.
Mr. Soujanya Bandopadhyay,
..... for the respondents.

The matter is mentioned before this Court for necessary correction in the order dated 9.1.2024.

It appears that this Court has observed that driver of the offending vehicle was driving car without any driving licence. The observation is there at page 5. By virtue of the order of Hon'ble Supreme Court passed in **Swaran Singh**, the Insurance Company may be directed to pay the compensation and in turn they are at liberty to recover the same from the owner of offending vehicle.

The specific order was not passed by this Court. Accordingly it is ordered that the Insurance Company first comply the order of this court regarding payment of compensation of Rs.3,69,500/- together with 6% interest and thereafter they shall recover the same from the owner of the offending vehicle i.e. respondent no.3. Accordingly,

the procedure laid down by Hon'ble Supreme Court in **Swaran Singh**.

The instant order may be part of the order dated 9.1.2024.

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

(**Subhendu Samanta, J.**)