

Form No. J(2)

**IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE**

Present:

The Hon'ble Justice Ananya Bandyopadhyay

FMA 455 of 2024

**National Insurance Company Limited
Versus
Manju Nandi & Ors.**

For the Appellant/Insurance Company: Mr. Deb Narayan Ray

For the Respondents/claimants : Mr. Debabrata Nanda

Heard & Judgment on : 29th July, 2025.

Ananya Bandyopadhyay, J:

1. Both the Learned Advocates representing the appellant/Insurance Company and the respondents/claimants are present.
2. The instant appeal had been filed against the judgment and award dated 09.01.2024 passed by the Learned Additional District Judge, Motor Accident Claims Tribunal, 3rd Court, Alipore, South 24-Parganas M.A.C. Case No. 924 of 2019.
3. The learned Advocate representing the appellant/Insurance Company submitted to have filed the instant appeal exclusively on the ground that the offending vehicle on the date of the accident

did not possess valid route permit and accordingly the Insurance Company should be exonerated from the liability to pay the compensation awarded by the learned Tribunal as aforesaid.

4. The learned Advocate representing the respondents/claimants submitted that the appellant/Insurance Company did not file any application under Section 170 of the Motor Vehicles Act before the learned Tribunal. The document marked as exhibit 11 was not authenticated by any responsible witness before the learned Tribunal and the same cannot be relied upon.
5. Perused the materials-on-record as well as the impugned judgment and order which had been validly reasoned and should not be interfered with.
6. The appeal being FMA/455/2024 is dismissed.
7. The pending applications, if any, stands disposed of.
8. Copy of the order be sent to the Department as well as the concerned tribunal as expeditiously as possible.

(Ananya Bandyopadhyay, J.)

Srimanta. A.R.(Ct.)