

Form No.J(2)

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

Present:

The Hon'ble Justice Ananya Bandyopadhyay

FMA 494 of 2023

**HDFC ERGO General Insurance Co. Ltd.
Versus
Sanjay Ray & Ors.**

For the Appellant : Mr. Soumalya Ganguli

For the Respondent No.1 to 3/
claimants : Mr. Saidur Rahaman

Heard & Judgment on : 25th August, 2025.

Ananya Bandyopadhyay, J:

1. The Learned Advocates representing the respective parties are present in Court.
2. The instant appeal had been filed against the judgment and award dated 25.01.2023 passed by the Learned Additional District & Sessions Judge, Fast Track Court – I, MACC Tribunal, Raiganj, Uttar Dinajpur in M.A.C. Case No. 168 of 2020.
3. In compliance with the order dated 12th March, 2025 passed by this Court the concerned Judge of MACC Tribunal, Raiganj, Uttar Dinajpur vide its order No. 155 dated 17th May, 2025 had forwarded

the records pertaining to the evidence adduced by P.W.3 exhibiting the original inquest report marked as Ext. 12 series which mentioned the date to be 24th September, 2020 which tallies as mentioned in the complaint. Accordingly, the contention of the Learned Advocate representing the appellant/insurance company is negated. Under such circumstances, this Court is not inclined to interfere with the impugned judgment and order.

4. The learned Advocate representing the appellant/Insurance Company submits to have deposited a sum of Rs. 6,89,700/=(Rs. 25,000 + 6,64,700/-) through two separate cheques as per challan filed by the Learned advocate representing the appellant/insurance company.
5. The office of the Learned Registrar General High Court at Calcutta, shall encash the cheques and thereafter disburse the entire awarded amount so deposited with accrued interest directly to the bank accounts of the respondent Nos. 1 to 3/claimants as mentioned in the impugned judgment and award passed by the Learned Additional District & Sessions Judge, Fast Track Court – I, MACC Tribunal, Raiganj, Uttar Dinajpur in M.A.C. Case No. 168 of 2020 on proof of proper identification of the respondent No.1 to 3/claimants subject to payment of ad valorem Court fees and refund the differential amount if any through a cheque to the Learned Advocate for the insurance company for the accounts of the

insurance company. The office of the Learned Registrar General, High Court at Calcutta will instruct the claimants to provide details of his bank accounts with relevant documentary proof, prior to such disbursal as aforesaid.

6. The instant appeal is dismissed accordingly.
7. The pending applications, if any, stands disposed of.
8. The interim order if any stand vacated.
9. The TCR be sent down to the concerned tribunal forthwith.
10. Copy of the order be sent to the Department as well as the concerned tribunal as expeditiously as possible.

(Ananya Bandyopadhyay, J.)

c.m. AR. Ct.