

Form No.J(2)

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

Present:

The Hon'ble Justice Ananya Bandyopadhyay

FMA 592 of 2025

Rila Mala Saren & Ors.

Versus

Bajaj Allianz General Insurance Co. Ltd & Anr.

For the appellants/claimants. : Mr. Amit Ranjan Roy

For the respondent nos. 1 : Ms. Sucharita Paul

Heard & Judgment on : 21st April, 2025

Ananya Bandyopadhyay, J:

1. The Learned Advocates representing the respective parties are present.
2. The instant appeal had been filed against the judgment and award dated 3rd September, 2024 passed by the learned Judge, Motor Accident Claims Tribunal and Additional District & Sessions Judge, 6th Court, Paschim Medinipur in M.A.C. Case No. 223 of 2022.

3. The Learned Advocate representing the appellants/claimants submitted that the instant appeal had been filed exclusively on the ground of non-grant of 'future prospect' by the learned Tribunal while disposing of the aforesaid M.A.C. Case No. 223 of 2022.
4. The Learned Advocate representing the respondent No.1/insurance company conceded to the same.
5. Under the facts and circumstances, this Court is inclined only to the extent of modifying the impugned judgment and award passed in M.A.C. Case No. 223 of 2022 to the following extent.

Monthly Income	Rs. 7500/-
Future Prospect to be added(25%)	Rs. 1,875/-
Annual Income (Rs. 9,375 x 12)	Rs. 9,375/-
Multiplier to be "14"	Rs. 1,12,500/-
	X 14
	Rs.15,75,000/-
1/4 th Deduction	Rs. 3,93,750/-
Personal Expenses	
	Rs.11,81,500/-
General Damages	Rs. 30,000/-
Less Award	Rs.12,11,500/-
	Rs. 9,82,000/-
Entitlement	Rs. 2,29,500/-

6. The Learned Advocate for the appellants/claimants submitted that the appellants/claimants have withdrawn a sum of Rs. 9,82,000/-. The appellants/claimants are entitled to a sum of Rs. 2,29,500/- along with 6% interest per annum to be paid from the date of filing of the application i.e. 18.05.2022 till the date of its actual realization.
7. The Learned Advocate for the respondent No.1/insurance company is to deposit the balance sum of Rs. 2,29,500/- along with interest as aforesaid before the office of the learned Registrar General, High Court Calcutta within six weeks from the date of passing of this order .
8. The office of the Registrar General, High Court, Calcutta shall encash the said cheque and thereafter disbursed the same to the present appellants/claimants in equal proportion as mentioned in the award passed by the learned Judge, Motor Accident Claims Tribunal and

Additional District & Sessions Judge, 6th Court, Paschim Medinipur in M.A.C. Case No. 223 of 2022 on proof of proper identification of the appellants/claimants subject to payment of ad valorem Court's fees.

9. The instant appeal is disposed of accordingly.
10. The pending applications if any stands disposed of.
11. Copy of the order be sent to the Department as well as the concerned tribunal as expeditiously as possible.

c.m.Ar. ct

(Ananya Bandyopadhyay, J.)