

13.08.2025
Sl. No. 1.
D/L.
Mithun
Ct.No.42.

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

**FMAT 525 of 2020
With
IA No: CAN/1/2021, CAN/2/2022, CAN/3/2023**

**The National Insurance Co. Ltd.
Vs.
Smt. Atreyee Maji representing by Sankar Maji &
Anr.**

Mr. Jayanta Kr. Mandal,
Mr. Sayanta Rakshit
...for the appellant/respondent no.1/claimant.

Mr. Sanjay Paul
...for the appellant/Insurance Company.

In re: CAN/3/2023

This is an application for modification and/or
rectification of the order dated 12th December, 2022.

The appeal has been disposed of on 12th
December, 2022.

Mr. Jayanta Kumar Mandal, learned Advocate for
claimant/respondent no.1 submits that initially the
learned Tribunal calculated compensation taking into
account medical expenses of Rs.10,28,236/-. However,
subsequent thereto, vide order no.63 dated 2nd
December, 2020, the learned Tribunal has allowed
medical expenses of Rs.14,09,735/-. Since such
modification of the order of learned Tribunal was not
within the knowledge of respondent no.1, the same
could not be indicated at the time when the appeal was

disposed of. He seeks for modification of the order dated 12th December, 2022 considering the medical expenses to the tune of Rs. 14,09,735/-. He files certified copy of the order of the learned Tribunal, which is taken on record.

Mr. Sanjay Paul, learned Advocate for appellant/Insurance Company does not raise any objection.

It is found from the Order No.63 dated 2nd December, 2020 of the learned Tribunal that it has modified its order by taking into account medical expenses of Rs.14,09,735/-.

In view of the above, the medical expenses of Rs.14,09,735/- is taken into consideration and the compensation is calculated as hereunder :-

Calculation of Compensation

Monthly income	Rs.10,000/-
Annual income (Rs.10,000/- x 12)	Rs. 1,20,000/-
80% loss of income due to disablement of 80%	Rs.96,000/-
Multiplier 14 (Rs.96,000/- x 14)	Rs.13,44,000/-
Add: Medical expenses incurred	Rs.14,09,735/-
Add: Non-pecuniary damages	Rs.1,00,000/-
Total compensation	Rs.28,53,735/-

Thus, the respondent no.1/claimant is entitled to compensation of Rs.28,53,735/- along with interest @ 6% per annum from the date of filing of the claim application till payment.

The order dated 12th December, 2022 is modified to the above extent.

The other portions of the order shall remain unaltered.

This order shall form part of order dated 12th December, 2022.

Accordingly, **CAN 3 of 2023** stands disposed of.

(Bivas Pattanayak, J.)