

11.02.2026
Item No.34
BR

CO 1201 of 2024
Banamali Manna
-vs-

Reliance General Insurance Co. Ltd.

Mr. Supriyo Chattopadhyay,
Mr. Deborshi Chatterjee
... for the petitioner

1. Affidavit of service filed by the petitioner be kept with the record.
2. The revisional application has been preferred challenging an order no. 53 dated February 05, 2024 passed by the learned MACT and Additional District Judge, FTC-I, Chinsurah, Hooghly in connection with Misc. Case No. 68 of 2019 arising out of MACC case No. 242 of 2015.
3. Vide the impugned order, the learned tribunal has disposed of the recovery proceedings on merit and rejected the petitioner's application for bringing in additional documents on the ground that the similar statements were made in the written objection also and the same was duly considered by the tribunal and was disposed of.

4. The prayer of the petitioner for execution from recovery process by way of an application under Section 151 of CPC was rejected by the tribunal by passing a detailed order .
5. It is submitted by the learned counsel for the petitioner that the said prayer in the application under Section 151 CPC was two fold. The prayer was as follows :

“ Under the circumstances it is prayed that your honour would graciously be pleased to accept the documents filed by firisti and pass exemption from the recovery order from your petitioner and pass such other order/orders as your honour may deem fit and proper.”

6. He submits that tribunal did not consider his prayer to accept the documents which he intends to bring on record in support of his case.
7. On perusal of the impugned order, it appears that the tribunal has not given any finding as to the admission of the said documents.
8. Accordingly, the impugned order dated 5.2.2024 is modified to the extent that the petitioner shall be given an opportunity to file the

documents sought to be filed by way of the application under Section 151 CPC, which the petitioner shall file within 10 days from the date of this order and the tribunal shall hear the said application filed by the petitioner in presence of both the parties, and make all endeavour to dispose of the said recovery process proceedings within 60 days from the date of this order considering the documents filed.

9. CO 1201 of 2024 stands disposed of.

10. Tribunal is at liberty to act on the server copy of this order.

(Shampa Dutt (Paul), J.)