

MACC (Ex.) 12 of 2025
C.N.R. No.-WBCB01-002115-2025
Present: Smt. Mandakranta Saha
ADJ 2nd Court, Cooch Behar,
In charge of ADJ, 3rd Court, Cooch Behar

Order No. 10, dated 16.06.2026

Today is fixed for filing certified copy of stay order of Hon'ble High Court, Calcutta, Circuit Bench Jalpaiguri.

The DHr. Has filed an application seeking direction upon the Nodal Officer namely Mr. Nitya Das of Bajaj Alliance General Insurance Co. Ltd. for appearing before the Court in connection with letter dated 11.05.2026.

The Jdr. Has filed a petition seeking further time for filing certified copy of order of stay of the Hon'ble High Court, Calcutta, Circuit Bench Jalpaiguri.

The DHr has filed copies of letters dated 11.05.2026 with copies of postal receipts.

These copies of letters speak that JDr has already issued cheque of sum of Rs. 4,84,160/- in the name of each of the claimants/petitioners. The Ld. Advocate has submitted that no such cheque has been filed before this court nor petitioners have received any cheque by postal correspondence from the JDr.

In the circumstance, the Ld. Advocate for Dhr has sought for direction for personal appearance of the aforesaid Nodal Officer.

Heard the Ld. Advocate for the DHr. Perused the record thoroughly.

It is found from the record that the system generated copy of order dated 02.06.2025 passed in FMAT (MV) 60 of 2025 speaks that upon deposit of entire amount of award money with statutory interest as per the direction given in impugned judgment. The operation of the impugned judgment and order shall remain stayed until disposal of appeal.

It is further found from the record that the challan is showing deposit of 14,58,614/- before the Hon'ble High Court, Calcutta, Circuit Bench Jalpaiguri in c/w FMAT (MV) 60 of 2025.

This challan shows that the entire award amount has been deposited before the High Court Calcutta. Thus, in accordance with the order of High Court, the operation of impugned Judgement and order stayed until disposal of the Appeal.

In view of such direction of Hon'ble High Court, Calcutta, Circuit Bench Jalpaiguri the execution proceeding is also stayed. Thus, the application dated 16.06.2026 filed by the DHR is found to be misconceived, therefore rejected.

Fix 14.08.2026 for appraising this Court about the fate of the appeal.

Dictated and Corrected by me.

Sd/-
Additional District Judge,
3rd Court, Cooch Behar, I/C

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Additional District Judge,
3rd Court, Cooch Behar, I/C

