



Item No. 4, 5 & 6

Ct 09

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IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE

FMA 396 of 2022
With
IA NO: CAN 1 of 2021
CAN 2 of 2022

SBI General Insurance Company Limited
Vs
Sandha Pramanik & Ors.

With

FMA 192 of 2021
With
IA NO: CAN 1 of 2021
CAN 2 of 2022

SBI General Insurance Company Limited
Vs
Shila Adak & Ors

With

FMA 672 of 2021

SBI General Insurance Company Limited
Vs
Santu Polley & Anr.

Mr. Debajan Mukherjee
... for the appellant/Insurance Company.

Mr. Niranjana Maity,
Mr. Ashique Mondal,
Ms. Indrani Ghosh
... for the respondents in FMA 396 of 2022.

Mr. Ashique Mondal,
Ms. Indrani Ghosh.
... for the respondents in FMA 192 of 2021.

Mr. Niranjana Maity,
Mr. Ashique Mondal,
Ms. Indrani Ghosh.
... for the respondents in FMA 672 of 2021.



In Re: FMA 396 of 2022
With
CAN 2 of 2022

Learned advocates for the parties are present.

The instant application being CAN 2 of 2022 in FMA 396 of 2022 is taken up for consideration. This application for substitution is taken out to delete the name of respondent no.2, Naba Kumar Pramanik who died during the pendency of this appeal.

Upon perusing the petition, the prayer for substitution stands allowed upon setting aside the abatement, if any.

Let the names of heirs of respondent no.2, Naba Kumar Pramanik as mentioned in paragraph 4 of this application being CAN 2 of 2022 be incorporated in place and stead of respondent no.2, Naba Kumar Pramanik in the cause title of memorandum of appeal.

Department is directed to carry out the amendment within two weeks.

Accordingly CAN 2 of 2022 in FMA 396 of 2022 stands disposed of.

In terms of the earlier order dated 17.02.2026 the appellant/insurance company was granted liberty to take necessary instruction to the fate of their representation before the police authority in terms of the order passed by the Hon'ble Court in WPA



No.24862 of 2025.

It is submitted by the learned advocate for the appellant/insurance company that although the representation was made in terms of the order of the Hon'ble Court, the police authority are conducting inquiry along with other motor accident cases but no finality has been arrived at. Thus the matter is still pending and the inquiry is not complete.

As learned advocates consent to the matter being taken up, the matter is being taken up for hearing.

Heard learned advocate for the appellant and considered the written notes of argument.

As the learned advocate for the appellant has concluded argument, the learned advocates for the respondents/claimants are granted opportunity to file written notes of argument and also argue the matter on 29.06.2026 at 4.00 P.M.

The matter be treated as heard-in-part.

As the compensation awarded by the learned Trial Court is already deposited the ad interim order of stay granted earlier shall continue till the disposal of these appeals.

(Biswaroop Chowdhury, J.)