

S/L 21
22.07.2024
Court. No. 33
Suvayan

**FMAT (MV) 270 of 2024
With
CAN 1 of 2024**

**The Oriental Insurance Co. Ltd.
Vs.
Sri Sambhu Shee & Anr.**

Mr. P. K. Pahari

...for the appellant.

1. The learned advocate for the appellant/insurance is present. None appeared for the respondents/claimants.
2. The report filed by the Stamp Reporter dated 07.05.2024. From the report it reveals that the appeal is in time.
3. The Department is directed to register the appeal.
4. Call for lower court records.
5. Department is directed to take effective steps for bringing the lower court records from the concerned Tribunal.

In Re: CAN 1 of 2024

1. The learned advocate for the appellant/insurance company submits to have deposited the statutory amount of Rs. 25,000/- vide challan No. 978 dated 2nd July, 2024.
2. The learned advocate for the appellant has filed CAN 1 of 2024 with a prayer to deposit a sum of Rs.3,49,160/- along with interest to be calculated @ 6 % per annum before the office of the learned Registrar General, High Court at Calcutta with a deduction of Rs.

25,000/- which has been the statutory amount deposited at the time of institution of the instant appeal.

3. The appellant is granted four weeks time period to deposit the aforesaid amount before the office of the learned Registrar General, High Court at Calcutta.

4. The Registrar General, High Court at Calcutta is directed to deposit the said amount in a Nationalized Bank in an auto renewable fixed deposit for a temporary period till the disposal of the instant appeal.

5. Next date be fixed on 7th October, 2024.

6. The interim stay of the impugned judgment and order dated 14th March, 2024 passed by the learned Judge, M.A.C. Tribunal, Bench No. VIII, City Civil Court, Calcutta, in M.J.C. No. 1041 of 2008 be stayed till further orders of the instant appeal.

7. The learned advocate for the appellant/insurance company is directed to serve copy of the memo of appeal and notice upon the respondents/claimants intimating the next date of hearing and file affidavit-of-service to that effect on the returnable date.

8. Copy of the order be communicated to the office of the learned Registrar General, High Court at Calcutta for information and necessary action.

(Ananya Bandyopadhyay, J.)