

26.02.2026
Item No.40
Ali
ct. no.9

**FMAT (MV) 428 of 2024
With
IA No.:CAN/1/2024, CAN/2/2025,
CAN/3/2025,**

**The Oriental Insurance Co. Ltd.
Vs.
Narendranath Bhunia @ Narendra Bunia & Ors.**

Ms. Sucharita Paul
.....for the appellant/Insurance Co.

Mr. A. R. Roy
..for the respondents/claimants.

In Re.:CAN 3 of 2025

1. Learned advocate for the parties are present.
2. The application for condonation of delay being CAN 3 of 2025 is taken up for consideration.
3. Heard learned advocates. Perused the petition filed. Upon perusing the petition and upon hearing the learned advocates this Court is of the view that sufficient cause is shown for condonation of delay. Thus, the delay in filing this appeal is condoned and the appeal is admitted.
4. The application CAN 3 of 2025 stands disposed of.

In Re.:CAN 1 of 2025

5. The application for stay filed by the appellant Insurance Company is taken up for consideration.

6. As the appellant/Insurance Company has deposited the statutory amount of Rs.25,000/- there shall be an ad interim order of stay of the judgment and award dated 30th April, 2024, passed by learned Additional District Judge, 3rd Court, Tamruk, Purba Medinipur in M.A.C. Case No. 58 of 2019 for a period of five weeks from date.
7. The appellant/Insurance Company shall take steps to deposit the entire awarded sum along with interest as directed by the learned Trial Court excluding the statutory amount within five weeks. In the event such deposit is made within a period of five weeks, the ad interim order of stay shall continue till disposal of the application being CAN 1 of 2025.
8. The learned Registrar General, High Court Calcutta is requested to invest the amount deposited in a fixed deposit of a Nationalized Bank and renew the same from time to time.
9. As the claimants/respondents Nos.1 and 2 have appeared service of notice upon the said respondents is dispensed with.
10. Liberty to mention.

(Biswaroop Chowdhury, J.)