

**In the High Court at Calcutta**

Civil Appellate Jurisdiction

Appellate Side

31.03.2026

Item No.21-22

ct. no.9

**FMAT (MV) 488 of 2023**

**With**

**IA No.:CAN/1/2023, CAN/2/2023**

**National Insurance Co. Ltd.**

**Vs.**

**Aditya Jhunjhunwala & Anr.**

**With**

**COT 12 of 2025**

**With**

**IA No.:CAN/1/2025**

**Aditya Jhunjhunwala**

**Vs.**

**National Insurance Co. Ltd.**

Mr. Parimal Kumar Pahari

.....for the Insurance Co.

Mr. Debangshu Dinda,

Mr. A.K. Ghosh

....for the appellant in COT 12 of 2025  
and respondents in FMAT (MV) 488/2023.

**In Re.:CAN 1 of 2023**

1. Learned advocates for the parties are present.
2. The appeal preferred by the appellant National Insurance Company Ltd. is after the period of limitation for which an application for condonation of delay is filed by the appellant. The application CAN 1 of 2023 is taken up for consideration.
3. Heard learned advocate for the appellant and learned advocate for the respondents/claimants. 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 1 of 2023 stands disposed of.

**In Re.:CAN 1 of 2025**

5. The respondents/claimants have filed a Cross Objection being COT 12 of 2025 against the judgment and award passed by the learned Trial Judge. The application for condonation of delay is taken up for consideration.
6. Upon perusing the petition filed and upon hearing the learned advocates this Court is of the view that the respondents/Cross Objector has furnished sufficient grounds for the delay. Thus, delay in preferring the Cross Objection is condoned and this Cross Objection is admitted.
7. The application CAN 1 of 2025 stands disposed of.

**In Re.:CAN 2 of 2023**

8. The application for stay filed by the appellant Insurance Company is taken up for consideration.
9. As the appellant/Insurance Company has deposited the entire awarded sum as directed by the learned Trial Court, there shall be an ad interim order of stay of the judgment and award dated 16<sup>th</sup> January, 2023, passed by learned Additional District Judge,

FTC, 3<sup>rd</sup> Court, Alipore, South 24 Parganas in M.A.C.  
Case No. 37 of 2013 till disposal of this appeal.

10. 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.
11. The Trial Court Records be called for at the special messenger cost to be deposited by the respondents/claimants. The informal paper book be filed within four weeks upon arrival of the Trial Court Record by the respondents.
12. Liberty to mention.

**(Biswaroop Chowdhury, J.)**