

17.07.2025
Ct. No.33
Sl. No. 9
cm

FMA(MV) 475 of 2022

CAN 1 of 2022

CAN 2 of 2023

CAN 3 of 2025

The Oriental Insurance Co. Ltd.

Vs.

Smt. Pani Mahali & Ors.

Ms. Sucharita Paul

... for the appellant/insurance co.

Mr. Amit Ranjan Roy

... for the respondents/claimants

In Re: CAN 1 of 2022

As per the order of this Court dated 22.09.2023 the Insurance Company had deposited the entire awarded compensation before the office of the learned Registrar General, High Court at Calcutta vide OD Challan No. 2117 dated 12.10.2023. Let the said challan be kept on record.

Accordingly, the interim order of stay dated 22.09.2023 is made absolute and the stay shall continue till the disposal of the instant appeal.

The application being CAN 1 of 2022 is disposed of.

In Re: CAN 2 of 2023

The application being CAN 2 of 2023 under Section 5 of the limitation Act has been taken up for hearing. From the record it reveals that there is a delay of 169 days.

Considering the averments made in the CAN application being 2 of 2023 and in view of the beneficial legislative intent the delay of 169 days in filing the instant case is condoned.

The application being CAN 2 of 2023 is disposed of.

The Department is directed to register the appeal.

The learned advocate representing the respondents/claimants submits to have filed a cross objection being COT 96 of 2025.

Department is directed to place the aforesaid Cross Objection along with the main appeal on the next date of hearing.

The learned advocate representing the appellant/insurance company is to serve fresh notice upon the respondent No.4/owner intimating the next date of hearing and file affidavit of service to that effect on the next date.

The informal paper book filed on behalf of the respondents/claimants be kept on record. A copy of the same has been served upon the learned advocate representing the appellant/insurance company.

Let the matter be fixed on 12th
September, 2025.

(Ananya Bandyopadhyay, J.)