

Item 22.04.
No. 2026
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IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE

FMAT (MV) 645 of 2025
With
IA NO: CAN 1 of 2026
CAN 2 of 2026

The Oriental Insurance Company Limited
Vs
Shanti Kumar Mondal & Ors.

Ms. Nibedita Chakaborty.
... for the appellant/insurance Co.

In Re: CAN 1 of 2026

Learned advocate for the appellant/insurance company is present.

Let affidavit of service filed be kept with the record.

None appears for the respondents in spite of service of notice.

The instant application being CAN 1 of 2026 is taken up for consideration.

Heard learned advocate for the appellant/insurance company. Perused the petition filed. Upon perusing the petition and upon hearing the learned advocate for the appellant, this Court is of the view that sufficient ground is shown for condoning the delay. Thus, the delay in preferring this appeal is condoned. The appeal is admitted.

Accordingly, **CAN 1 of 2026** stands disposed of.

In Re: CAN 2 of 2026

The application being CAN 2 of 2026 is taken up for consideration.

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 3rd May, 2025 passed by the Learned Additional District Judge, Fast Track, 2nd Court, Bongaon, North 24 Parganas in M.A.C. Case No. 48 of 2015 for a period of five weeks from date.

The appellant/insurance company shall deposit the entire awarded sum along with interest as directed by the learned Trial Court excluding the statutory deposit within the period of 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 2 of 2026.

Learned Registrar General of this Court is requested to invest the amount deposited in any nationalized bank with an interest bearing account and is also requested to renew the same from time to time.

Appellant shall take steps to cause service of notice upon the respondents.

The Trial Court Records be called at the Special Messenger Court to be put by the appellant within two

weeks.

Paper books be filed on arrival of the Trial Court
Records.

Liberty to mention after four weeks.

(Biswaroop Chowdhury, J.)