

29.04.2025
Ct. No.33
Sl. No. 22
cm

FMAT 567 of 2020
CAN 1 of 2020
CAN 2 of 2021

National Insurance Co. Ltd.
Vs.
Bina Rajwar & Ors.

Ms. Sucharita Paul
... for the appellant/insurance co.
Mr. Jayanta Kumar Mondal
Mr. Sayantan Rakshit
... for the respondent No.1 to 3/claimants

In RE: CAN 2 of 2021

The learned advocates representing the appellant/insurance company and respondent No.1 to 3/claimants are present.

The application being CAN 2 of 2021 under Section 5 of the limitation Act has been taken up for hearing. From the record it reveals that there is a delay of 304 days.

Considering the averments made in paragraph 5 to 8 of the CAN application being CAN 2 of 2021 and in view of the beneficial legislative intent the delay of 304 days in filing the instant case is condoned.

The application being CAN 2 of 2021 is disposed of.

The Department is directed to register the appeal.

In Re: CAN 1 of 2020

As per the order of this Court dated 01.03.2021 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. 3906 dated 19.03.2021. Let the said challan be kept on record.

Accordingly, the interim order of stay dated 01.03.2021 is made absolute and the stay shall continue till the disposal of the instant appeal.

The application being CAN 1 of 2020 is disposed of.

The learned advocate representing the respondent Nos. 1 to 3/claimants has filed the informal paper book. Let the same be kept on record.

Let the matter be fixed on 20th May, 2025 under the heading “For Orders”.

(Ananya Bandyopadhyay, J.)