

01.10.2024
Sl. No.9
Court no.III
nb

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

FMAT 5 of 2021

**Smt. Tara Sharma & Ors.
Vs.
National Insurance Co. Ltd. & Anr.**

Ms. Rima Sarkar,
Ms. Sidhi Sethia,
Ms. Suparna Paul,
..... for the appellants.
Ms. Supriya Singh
.... for the respondent.

Affidavit of service filed by the appellant is taken
on record.

The instant appeal has been preferred against
the Judgment and award dated 10.12.2019 passed by
Learned Tribunal, 2nd Court, Siliguri in M.A.C. Case
No. 53(4) of 2014.

Earlier the delay in preferring the instant appeal
was allowed but no formal order of admission was
passed. In pursuance to the order dated 10.4.2023 the
instant appeal be admitted.

Register the same.

Call for TCR from the office of the learned
tribunal within four weeks.

On reaching the TCR the department is to verify
the same, on such verification if it is found to be

complete and in order, a notice of such TCR shall serve upon the advocate on record for the appellant within a fortnight. On receiving such notice the learned advocate for the appellant shall prepare a requisite number of paper books at least three in number within four weeks thereafter, containing pleadings and proofs both oral and documentary of TCR out of Court.

Learned advocate for the appellant submits that the respondent no.2 is the owner of the offending vehicle who did not contest the matter before the learned Tribunal.

Considering the submission, the service of notice upon the respondent no.2 is dispensed with for the time being.

The appellant is directed to serve a copy of memo of appeal upon the learned counsel appearing on behalf of the respondent no.1.

Accordingly, CAN 1 of 2021 is disposed of.

Let the matter go out of list.

Parties are liberty to mention.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Subhendu Samanta, J.)