



13.06.2025

Ct. no.3  
D/L 14  
tkm

**IN THE HIGH COURT AT CALCUTTA  
CIRCUIT BENCH AT JALPAIGURI**

**FMAT (MV) 46 of 2025**

**Anjali Roy & Ors**

**Vs.**

**Bajaj Allianz General Insurance Co. Ltd. & Anr.**

Mr. Bikash Singha

Mr. Abdul Habib

... for the appellant

This appeal is preferred against the judgment and award dated 21.02.2025 passed by the learned Additional District Judge, 3<sup>rd</sup> Court, Motor Accident Claims Tribunal, Jalpaiguri in MAC Case No. 55 of 2022 under Section 166 of the Motor Vehicles Act, 1988.

Learned counsel for the appellant submits that the impugned judgment has been passed in contravention to the settled principles of law as enumerated in ***Magma General Insurance Company Limited -Vs- Nanu ram @ Chuhru Ram*** as reported in ***(2018) 4 TAC 345 (SC)*** and in ***Janabai and others Vs. ICICI Lombard General Ins. Co. Ltd.*** as reported in ***2022 (3) TAC 705 (SC)***.

As per the report of the Additional Stamp Reporter dated 14<sup>th</sup> May, 2025, the appeal is preferred within the statutory period of limitation.



Accordingly, the appeal is formally admitted and registered.

Let the trial court records be called for.

Department is directed to take effective steps for bringing the trial court records from the learned Tribunal within six weeks from date.

Upon receipt of the trial court records, the Office shall examine the same and if found to be complete and in order, shall serve notice of arrival of the trial court records upon the learned advocate for appellant within a period of two weeks of such arrival.

Upon receipt of the notice of arrival of trial court records, learned Advocate for the appellant shall prepare and file requisite number of informal paper books incorporating all relevant papers and documents including the pleadings and evidence, both oral and documentary, in printed or typewritten or cyclostyled form, as the case may be, out of court, within a period of four weeks from the date of service of notice of arrival of trial court records.

The appellant is directed to deposit *talabana* costs together with written up notice forms for causing service of notice of appeal upon the respondents.

**(Gaurang Kanth, J.)**