

**IN THE HIGH COURT OF SIKKIM**  
**CIVIL APPELLATE JURISDICTION**

M. A. C. App. No. 14 of 2015

The Branch Manager,  
Bajaj Allianz General Insurance Co. Ltd.,  
Saharan House, 2<sup>nd</sup> Floor, Above ICICI Bank,  
2<sup>nd</sup> Mile, Sevoke Road, Siliguri,  
West Bengal. ----- Appellant/Insurer.

**-VERSUS-**

1. Janga Bahadur Chettri,  
S/o Late Ratna Bahadur Chettri.
2. Khina Maya Chettri,  
W/o Janga Bahadur Chettri.
3. Bishal Chettri,  
S/o Janga Bahadur Chettri.

All R/o of Niya Mangzing GPU,  
P. O. Lingmoo, P. S. Ravangla,  
South Sikkim. ----- Respondents/Claimants.

APPELLANT  
ADVOCATE (S)  
FOR ----- Mr. Thupden G. Bhutia.

RESPONDENT  
ADVOCATE (S)  
FOR -----

Case No.....

Serial No.	Date	Order (s) with Signature (s)
1	2	3
02.	05.08.2015	<p style="text-align: center;"><b>MAC App No. 14/2015</b> <b>The Branch Manager, Bajaj Allianz General Insurance Company Ltd. vs Janga Bahadur Chettri &amp; Ors.</b></p> <p style="text-align: center;"><b><u>BEFORE</u></b> <b>HON'BLE MR. JUSTICE S. P. WANGDI, JUDGE</b></p> <p>Present: Mr. Thupden G. Bhutia, Advocate for the Appellant-Bajaj Allianz General Insurance Company.</p> <p>Mr. Ajay. Rathi, Advocate with Mr. Aditya Makkhim and Ms. Pema Wangmu Bhutia, Advocates for Respondent No. 1 to 3.</p> <p style="text-align: center;">-----</p> <p>Upon hearing Mr. Thupden G. Bhutia, Learned Advocate for the Appellant-Insurance Company, it appears that in this Appeal the Appellant challenges only a component of the award pertaining to future prospects. There are other aspects raised by them but, it is submitted that in view of the earlier decisions of this Court, he would not be pressing those.</p> <p>Since the Appellant do not seek to assail the entire award but only a part of it, it was expected that the undisputed amount would be disbursed to the Respondents No.1 to 3, as directed by the Motor Accident Claims Tribunal, South Sikkim at Namchi.</p> <p>This firstly would have been in the spirit of the benevolent legislation under which the present case is being pursued and secondly, which by no means is important, would have demonstrated the <i>bona fides</i> on the part of the Appellant-Insurance Company in approaching this Court.</p>

Case No.....

Serial No.	Date	Order (s) with Signature (s)
1	2	<p data-bbox="430 483 1031 598">In view of this, it is hoped and expected that the needful will be done by the Appellant-Insurance Company during the interregnum.</p> <p data-bbox="430 598 1031 682">List on 12.08.2015 for hearing as prayed for by the Learned Counsel for the parties.</p> <p data-bbox="820 630 950 693"><i>SQL</i></p> <p data-bbox="820 703 893 745"><b>Judge</b> 05.08.2015</p> <p data-bbox="454 787 617 819">Index : Yes/No</p> <p data-bbox="454 819 617 850">Internet : Yes/No</p>

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