

GAHC010008692017



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : MACApp./35/2018

NATIONAL INSURANCE CO. LTD.,
HAVING ITS REGISTERED OFFICE AT MIDDLETON STREET, KOLKATA AND
ONE OF THE REGIONAL OFFICES KNOWN AS GUWAHATI REGIONAL
OFFICE, G.S. ROAD, BHANGAGARH, GUWAHATI-5

VERSUS

ROUSONA HAQUE
R/O KACHUA (KANDHAPARA), P.O. AND P.S. KACHUA AND DIST. NAGAON
(ASSAM) PIN 782426

2:MAHMADUL HASAN
RO KACHUA (KANDHAPARA)
P.O. AND P.S. KACHUA (KANDHAPARA)
P.O.AND P.S. KACHUA AND DIST. NAGAON
ASSAM
PIN 782426

3:OLIUL HAQUE
RO KACHUA (KANDHAPARA)
P.O. AND P.S. KACHUA (KANDHAPARA)
P.O.AND P.S. KACHUA AND DIST. NAGAON
ASSAM
PIN 782426

4:ENAMUL HAQUE
RO KACHUA (KANDHAPARA)
P.O. AND P.S. KACHUA (KANDHAPARA)
P.O.AND P.S. KACHUA AND DIST. NAGAON
ASSAM
PIN 782426

5:ENAMUL HAQUE

RO KACHUA (KANDHAPARA)
P.O. AND P.S. KACHUA (KANDHAPARA)
P.O.AND P.S. KACHUA AND DIST. NAGAON
ASSAM
PIN 782426

6:SOMAYA HAQUE
RO KACHUA (KANDHAPARA)
P.O. AND P.S. KACHUA (KANDHAPARA)
P.O.AND P.S. KACHUA AND DIST. NAGAON
ASSAM
PIN 782426

7:ZINNATUL ISLAM
R/O VILL. MILANPUR
WARD NO. 3
P.O. AND DIST. MORIGAON
PIN 782105

8:ASHADUL ISLAM
R/O VILL. KARIGURIGAON
P.O. SANDAKHAITY
P.S. MORIGAON
DIST. MORIGAON
PIN 78210

Advocate for the Petitioner : MR. K K BHATRA

Advocate for the Respondent : MR. A R AGARWALA (R1-R4)

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

Date : 11.02.2023

The case is put up before the National Lok Adalat.

The matter is settled between the parties.

The claimants No. 1, 3, 4, 5 & 6, namely, Mrs. Rousana Haque, Md. Oliul Haque, Md. Enamul Haque, Md. Enamul Haque and Miss. Somaya Haque respectively are present before Court today.

Ms. Mary Pegu, Regional Manager is present for the National Insurance Company Limited.

It is submitted that the claimant No. 2, namely, Md. Mahmadul Hasan had expired in the meantime.

It is submitted by both the claimants and the Insurance Company's representatives that this matter is settled between the parties at an amount of Rs. 16,00,000/- (Rupees Sixteen Lakhs) as full and final settlement in respect of the claims raised by the claimants.

The Insurance Company submits that an amount of Rs.8,08,500/- (Rupees Eight Lakh Eight Thousand and Five Hundred) had earlier been deposited before the Registry. The claimants, however, submit that the said amount has not yet been withdrawn.

As per the directions of the MACT, Morigaon and it is directed that the Insurance Company will make the balance deposit of Rs.7,91,500/- (Rupees Seven Lakhs Ninety One Thousand and Five Hundred) within a period of 4(four) weeks from today before the Registry of the Gauhati High Court.

The claimants will be entitled to withdraw the amount from the Registry upon verification of identities of the claimants and their bank details. The Insurance Company is also permitted to adjust the statutory deposit, if any, made.

In terms of the above, the matter is settled between the parties and the same is disposed of.

The earlier order dated 23.09.2022 passed in I.A.(C) No. 176/2018 stands merged with this order.

Before the Lok Adalat, the claimants No. 3, 4, 5 & 6 have submitted that they will have no objection if the entire claim amount is released in the name of

claimant No. 1, their mother, namely, Mrs. Rousana Haque. The claimants No. 3, 4, 5 & 6 are permitted to execute proper NOC as per provisions of law in favour of the claimant No. 1. Upon due satisfaction arrived at by the Registry of the Court upon verification of identities and bank details as well as the NOCs, the claimant No. 1 will be entitled to withdraw the said amount in her favour.

Statutory deposit if any will be permitted to be withdrawn by the Insurance Company.

JUDGE

Comparing Assistant