

GAHC010098722023



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

Case No. : I.A.(Civil)/1446/2023 In
MAC App./5183/2023 (filing number)
with MAC App./5183/2023 (filing number)

UNITED INDIA INSURANCE CO. LTD.
HAVING ITS REGISTERED OFFICE AT 24, WHITES ROAD, CHENNAI- 600014
AND REGIONAL OFFICE AT GUWAHATI- 5, REP. BY THE REGIONAL
MANAGER.

VERSUS

DULU BEGUM AND 5 ORS.
W/O LATE BABUL ALI,
VILL.- NO. 1 BEJPARA,
P.S.- MANGALDOI,
DIST.- DARRANG (ASSAM), PIN- 784125.

2:MAMATA BEGUM
D/O LATE BABUL ALI

VILL.- NO. 1 BEJPARA

P.S.- MANGALDOI

DIST.- DARRANG (ASSAM)
PIN- 784125.

3:HASHNA BEGUM
SISTER OF LATE BABUL ALI

VILL.- NO. 1 BEJPARA

P.S.- MANGALDOI

DIST.- DARRANG (ASSAM)
PIN- 784125.

4:AMZAD ALI
FATHER OF LATE BABUL ALI

VILL.- NO. 1 BEJPARA

P.S.- MANGALDOI

DIST.- DARRANG (ASSAM)
PIN- 784125.

5:RAVI SHANKAR SINGH
S/O LATE BHARAT SINGH

R/O 195B
SHYAM NAGAR ROAD
RUPALLAPPT
BLOCK B
P.S.- DUMDUMA
KOLKATA- 700055.

6:SAMBHU ROY
S/O NAGESWAR ROY

R/O B.T. ROAD
KOLKATA

P.S.- CHITPUR

DIST.- KOLKATA
WEST BENGAL
PIN- 700002

Advocate for the Petitioner : MS. M CHOUDHURY

Advocate for the Respondent : MR D MONDAL (R-1 to 3)

MAC App./5183/2023 (filing number)

UNITED INDIA INSURANCE CO. LTD.

VERSUS

DULU BEGUM AND 5 ORS. E

Advocate for : MS. M CHOUDHURY
Advocate for : appearing for DULU BEGUM AND 5 ORS. E

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

09.09.2023

This is an appeal filed by the appellant-United India Insurance Company Ltd. (for short Insurance Company) against the judgment and award dated 01.02.2023 passed by the Motor Accident Claims Tribunal No. 2, Kamrup (M), Guwahati (for short MACT, Kamrup) in MAC Case No.2565/2016 whereby an amount of Rs.14,19,400/- along with interest, as compensation, was directed to be paid by the appellant-Insurance Company to the claimants-respondents.

Sri A Munin Choudhury, Regional Manager of the Insurance Company and the claimant no. 1. Dulu Begum (wife); 2. Miss Mamata Begum (daughter) and 3. Hashna Begum (sister) along with their learned counsel, Shri D Mondal are present today i.e., 09.09.2023 in the National Lok Adalat.

The parties present before this Court jointly submit that the matter has been settled outside the Court and a lump sum amount of Rs. 18,25,000/- as

full and final settlement has been agreed upon.

In view of the above, the appeal stands closed with a direction that the Insurance Company shall deposit the balance amount of Rs. 18,25,000/- being the full and final settlement before the MACT, Kamrup within a period of 60 days from today.

The claimant would be at liberty to withdraw the aforesaid total amount of Rs. 18,25,000/- on being properly identified by their learned counsel. The manner of release of the aforesaid amount would be in the following terms:

- i) Out of the aforesaid awarded amount of Rs. 18,25,000/-, an amount of Rs. 50,000/- be released in favour of the claimant no. 3 (sister);
- ii) An amount of Rs. 4,00,000/- each is directed to be deposited in a Fixed Deposit scheme in the names of claimant no. 1-Dulu Begum (wife) and no. 2- Miss Mamata Begum (daughter) in any nationalized bank for a period of 3 years.
- iii) Remaining amount of Rs. 9,75,000/- be released in favour of the claimant no. 1-Dulu Begum.

The statutory deposit of Rs.25,000/- made by the Insurance Company at the time of filing of the appeal would be refunded by the Registry of this Court to the Insurance Company within the said period of 60 days.

Both the Interlocutory Application and the MAC appeal are accordingly disposed of.

Registry is directed to allot registration number in the appeal.

JUDGE

Comparing Assistant