

GAHC010179642023



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

Case No. : I.A.(Civil)/2493/2023

ORIENTAL INSURANCE CO. LTD.
HAVING ITS REGISTERED OFFICE AT ORIENTAL HOUSE, A-25/27, ASAF ALI
ROAD, NEW DELHI- 110002, AND REGIONAL OFFICE AT GUWAHATI- 7, REP.
BY THE REGIONAL MANAGER.

VERSUS

KALPANA HAJONG AND 4 ORS.
W/O LATE MRINAL HAJONG,
VILL.- GHUNGHUNI BHITA,
P.O. AND P.S.- LAKHIPUR, DIST.- GOALPARA, ASSAM, PIN- 783129.

2:NALINI HAJONG
S/O LATE MRINAL HAJONG

VILL.- GHUNGHUNI BHITA

P.O. AND P.S.- LAKHIPUR
DIST.- GOALPARA
ASSAM
PIN- 783129.

3:DEVI HAJONG
D/O LATE MRINAL HAJONG

VILL.- GHUNGHUNI BHITA

P.O. AND P.S.- LAKHIPUR
DIST.- GOALPARA
ASSAM
PIN- 783129.

4:SABINA SARKAR
W/O ABUL HASIRA

R/O L-2
BLOCK NO. 2
PRESTIGE TOWER
PURAN BASTI
PANJABARI
P.S.- DISPUR
DIST.- KAMRUP (M)
ASSAM
PIN- 781022.

5:AHMED ALI
S/O ANSER ALI

R/O MANIPUR
P.O.- MAKRIJHARA
P.S.- BAGRIBARI
DIST.- DHUBRI
ASSAM
PIN- 783349

Advocate for the Petitioner : MR SISHIR DUTTA

Advocate for the Respondent :

Linked Case :

ORIENTAL INSURANCE CO. LTD

VERSUS

KALPANA HAJONG AND 4 ORS. H

Advocate for : MS. M CHOUDHURY
Advocate for : appearing for KALPANA HAJONG AND 4 ORS. H

NATIONAL LOK ADALAT

(HELD ON 09TH OF SEPTEMBER, 2023)

:::BEFORE:::

HON'BLE MRS. JUSTICE MITALI THAKURIA

Name of the Conciliators:

1. Ms. Purnima Baruah Bordoloi
2. Mr. Dipankar Kumar Bagchi

ORDER

The case is put up before the National Lok Adalat.

The Insurance Company is represented by its officials.

The claimants- Smt. Kalpana Hajong, wife of deceased, & Shri Nalini Hajong, son of deceased, are duly present along with their engaged counsel. However, the minor daughter of the deceased, Ms. Devi Hajong, is not present.

It is submitted that the earlier awarded amount was Rs. 13,63,050/- (Rupees thirteen lakhs sixty three thousand fifty) only and after negotiation,

both the parties are agreed to settle the matter on an amount of Rs. 13,00,000/- (Rupees thirteen lakhs) only as full and final settlement.

Accordingly, the appellant/Oriental Insurance Co. Ltd. is hereby directed to deposit the amount of Rs. 13,00,000/- (Rupees thirteen lakhs) only before the Registry of this Court within a period of 2 (two) months from today.

Further it is seen that the learned Member MACT, Goalpara, has already directed to deposit an amount of Rs. 4,00,000/- (Rupees four lakhs) only in the name of claimant/Smt. Kalpana Hajong, Rs. 3,00,000/- (Rupees three lakhs) only in the name of claimant/Nalini Hajong and Rs. 3,00,000/- (Rupees three lakhs) only in the name of claimant/Ms. Devi Hajong in any nationalized bank as fixed deposits for the period of 2 (two) years, till attaining the age of majority and till she attain her majority, respectively. But it is seen that the son of the deceased, Shri Nalini Hajong, has already attained his majority.

However, considering the submission made by the claimants' side and also considering the financial constraints of the claimants, let Rs. 2,00,000/- (Rupees two lakhs) only in the name of claimant/Smt. Kalpana Hajong, Rs. 1,00,000/- (Rupees one lakh) only in the name of Shri Nalini Hajong and Rs. 3,00,000/- (Rupees three lakhs) only in the name of claimant/Ms. Devi Hajong (minor daughter) be deposited in any nationalized bank as fixed deposits for the period of 2 (two) years, 2 (two) years and till attaining the age of majority, respectively.

Registry to do the needful accordingly.

Further, the claimants will be at liberty to withdraw the remaining amount on being proper verification and identification by the concerned counsel of the case.

Registry is further directed to return the statutory deposited amount of Rs. 25,000/- (Rupees twenty five thousand) only to the Insurance Company.

The appeal along with the interlocutory application stands disposed of in terms above.

JUDGE

Comparing Assistant