

GAHC040009902022



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

Case No. : MACApp./4/2022

New India Assurance Company Ltd.
Having its registered office at New India Assurance Building 87, Mahatma Gandhi
Road and one of the North East Regional Office at Ulubari, G.S. Road, Guwahati

VERSUS

Debashish Ghosh and 2 Ors.
aged about 51 years, S/o Late Durgapada Ghosh, Presently serving as Assistant
Controller, Department of Legal Metrology and Consumer Affairs, Govt. of
Arunachal Pradesh, residing at Naharlagun, PO and PS Naharlagun, Papum Pare
District, Arunachal Pradesh. 2: Bulbul Gohain
Age: 0
Occupation :

3: Bikranta Gohain
Age: 0
Occupation

Advocate for the Petitioner : T Tayeng

Advocate for the Respondent : Limi Bam

BEFORE
HONBLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : 29-05-2024

Heard Mr. T. Tayeng, the learned counsel for the applicant and Mr. B. Taipodia, the learned counsel for the respondent No. 1.

The learned counsel for the parties have produced before this Court a Deed of Settlement as arrived at in the matter between the appellant and the respondent No.1, wherein the parties have agreed to settle the claim involved at an amount of Rs.11,00,000/-(Rupees Eleven Lakhs)only.

In terms of the said Deed of Settlement dated 20.05.2024, the appellant herein would transfer the said amount to the account of the respondent No.1 herein. The said Deed of Settlement also mandates that the appellant herein shall not further press the present appeal and the same shall be withdrawn.

In view of the above settlement as arrived in the matter and between the parties, no further adjudication is called for in the matter by this court. Accordingly, the present appeal stands dismissed. However, it is provided that the appellant shall release to the respondent No.1 herein the amount on which the claim was so settled and as recorded in the Deed of Settlement dated 20.05.2024, within a period of 15(fifteen) days from today.

At this stage, Mr. T. Tayeng, the learned counsel for the appellant has submitted that the Statutory Deposit of Rs. 25,000/- (Rupees Twenty Five Thousand only) as deposited before the Registry of this Court being not made part of the settlement arrived at and between the parties, the same may be directed to be refunded to the appellant.

Accordingly, the Registry is directed to return the said Statutory Deposit of Rs. 25,000/-(Rupees Twenty Five Thousand only) as made in the present appeal upon verification of the same to the appellant, on an application to be made by the appellant in this connection.

JUDGE

Comparing Assistant