

GAHC010003482015



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

Case No. : MACApp./599/2022

MUSTT SHUKURI BEGUM and 4 ORS
W/O LATE BAHARUL ISLAM

2: MD. SAMED ALI

S/O LATE OMAR ALI

3: MUSTT. ROHIMA KHATUN

W/O MD. SAMED ALI

4: MD. SUKUR ALI

S/O LATE BAHARUL ISLAM

5: ASMA KHATUN

D/O LATE BAHARUL ISLAM THE CLAIMANT /APPELLANTS NO. 4 AND 5
ARE MINOR AND THEY ARE REPRESENTED BY THEIR MOTHER I.E.

APPELLANT NO. 1

MUSTT. SHUKURI BEGUM
ALL ARE R/O VILL. BAGHMARA
P.O. KAWATIKA
P.S. BIJNI
DIST. CHIRANG BTAD
ASSAM

VERSUS

THE BRANCH MANAGER NATIONAL INSURANCE COMPANY LIMITED and
2 ORS

NATIONAL INSURANCE CO. LTD. MOTILAL NEHRU ROAD, PANBAZAR,
GUWAHATI, REPRESENTED BY THE DIVISIONAL MANAGER, NATIONAL
INSURANCE CO. LTD., BONGAIGAON DIVISION, INDIRA GANDHI ROAD,

P.O. and DIST. BONGAIGAON, ASSAM. INSURER OF THE VEHICLE
BEARING REGD NO. AS-01-X/7572 TRUCK VIDE POLICY NO.
200102/31/09/6700003046 AND VALID UPTO 12.11.2010

2:M/S T.D. CONSTRUCTION CO. PVT. LTD.

MAHARANIPATH
DISPUR
GUWAHATI OWNER OF THE VEHICLE BEARING REGD. NO. AS-01-X/7572
TRUCK

3:KUSHAL BORO

S/O LATE JOY RAM BORO
VILL. VAHUJA
P.O. BHALIKHOLA
P.S. BOKO
DIST. KAMRUP
ASSAM DRIVER OF THE VEHICLE BEARING REGD. NO. AS-01-X/7572
TRUCK VIDE D/L NO. AS-0119870069155 AND VALID UPTO 31.12.2011
ISSUED BY THE D.T.O. KAMRUP R and L GUWAHATI

Advocate for the Petitioner : MR. S BISWAS

Advocate for the Respondent : MR. N M DUTTA (r-1)

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

Date : 11.05.2024

The case is put up before the National Lok Adalat.

The appellants, namely, Mustt Shukuri Begum and Mustt. Rohima Khatun are present. Md. Samed Ali has already expired and other two appellants, namely, Md. Sukur Ali and Asma Khatun who are the children of the appellant No.1 are represented by the appellant No.1.

The National Insurance Company Limited is represented by Ms. Mery Pegu, Regional Manager of the said Company.

This case is amicably settled between the parties at an amount of Rs. 9,63,000/-. Out of which, Rs. 4,93,000/- have already been paid.

Considering the settlement reached between the parties, the Insurance Company is directed to deposit the amount of Rs. 4,70,000/- to the Registry of this Court within a period of 45 days from the date of this order and on such deposit, the Registry shall disburse the said amount to the claimants, namely, Mustt Shukuri Begum, Mustt. Rohima Khatun, Md. Sukur Ali and Asma Khatun, on proper verification of their identity as well as verification of their bank details.

The statutory deposit, if any, deposited by the appellant, may be returned back to the appellant by the Registry of this Court.

With above observation, this case is disposed of.

JUDGE

Comparing Assistant