

GAHC010006542017



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

Case No. : MACApp./316/2018

KISHAN MAHATO @ KIRA
S/O LATE BHUKHALU MAHATO
PERMANENT RESIDENT OF VILL. TARSAN SUMERA ,P.O. DIH
KHARAUNA ,P.S. KUDHANI, DIST. MUJAFFARPUR ,BIHAR.
PRESENT ADDRESS. C/O SRI BALESHWAR SINGH , VILL. RONGPUR PT. IV,
P.O. RANGPUR, P.S. SILCHAR, DIST. CACHAR, ASSAM

VERSUS

NEERAJ AGARWAL and ANR.
S/O SRI PAWAN KR .AGARWAL
SONAL ROAD ,P.O. SILCHAR , P.S. SILCHAR , DIST. CACHAR, ASSAM. PIN
CODE.788006

2:NATIONAL INSURANCE CO. LTD
REPRESENTED BY ITS DIVISIONAL MANAGER SILCHAR DIVISIONAL
OFFICE
CAPITAL TRAVELS BUILDING
CLUB ROAD
P.O. SILCHAR
SILCHAR- 788001
DIST. CACHAR
ASSA

Advocate for the Petitioner : MR. M TALUKDAR

Advocate for the Respondent : MR. B K PURKAYASTHA (R2)

**BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

ORDER

09.03.2024

This is an appeal filed by the appellant-claimant against the judgment and award dated 08.08.2017 passed by the Motor Accident Claims Tribunal, Cachar at Silchar (for short MACT, Cachar) in MAC Case No.861/2011 praying for enhancement of the awarded amount of Rs.53,756/-.

Ms. Mary Pegu, Regional Manager of the National Insurance Company Ltd. (Insurance Company) and the claimant-Shri Kishan Mahato @ Kira along with his counsel, Shri M Talukdar are present today i.e., 09.03.2024 in the National Lok Adalat.

It is submitted that the aforesaid awarded amount has already been deposited by the Insurance Company which is yet to be withdrawn by the claimant.

The parties present before this Court jointly submit that the matter has been settled between the parties and an additional lump sum amount Rs.1,50,000/- 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 amount of Rs.1,50,000/- being the full and final settlement before MACT, Cachar at Silchar within a period of 45 days from today.

The claimant would be at liberty to withdraw the entire amount, including the aforesaid lump sum amount on being properly identified by his learned counsel.

Send back the LCR, if any.

JUDGE

Comparing Assistant