

GAHC010008932017



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

Case No. : MFA/170/2019

NEW INDIA ASSURANCE CO. LTD
HAVING ITS REGISTERED OFFICE AT NEW INDIA ASSURANCE BUILDING
87, MAHATMA GANDHI ROAD, FORT, MUMBAI 400001 AND REGIONAL
OFFICE AT G.S. ROAD, GUWAHATI-5, REPRESENTED BY THE CHIEF
REGIONAL MANAGER

VERSUS

SRI DHRUBA SARMAH and ANR
S/O SRI SHIVA SARMAH, R/O KANDHULIMARI GAON, P.O. and P.S.
BOKAKHAT, DIST. GOLAGHAT, ASSAM 785621

Advocate for the Petitioner : MR. S DUTTA, MR. C SHARMA, MR. N KALITA, MR. SIDHANT DUTTA, MS. M CHOUDHURY, MS. N MODI

Advocate for the Respondent : MS. P BARUAH, MS U DAS, MS. A RANA

NATIONAL LOK ADALAT

(HELD ON 14TH OF SEPTEMBER, 2024)

MFA/170/2019

:::BEFORE:::

HON'BLE MRS. JUSTICE MITALI THAKURIA

Name of the Conciliators:

1. Mr. Santanu Kumar Das
2. Ms. Ritamani Goswami

ORDER

The case is put up before the National Lok Adalat.

The Insurance Company is represented by its officials.

The claimant duly present along with engaged counsel.

It is submitted that the earlier awarded amount was Rs. 2,60,292/- (Rupees two lakhs sixty thousand two hundred ninety-two) only and out of which, the Insurance Company has already deposited an amount of Rs. 1,30,146/- (Rupees one lakh thirty thousand one hundred forty-six) only, which is still laying before the Registry of this Court.

Both the parties are agreed to settle the matter on an amount of Rs. 3,37,666/- (Rupees three lakhs thirty-seven thousand six hundred sixty-six) only as full and final settlement and since an amount of Rs. 1,30,146/- (Rupees one lakh thirty thousand one hundred forty-six) only has already been deposited by the Insurance Company, they are ready to pay the remaining

additional amount of Rs. 2,07,520/- (Rupees two lakhs seven thousand five hundred twenty) only subject to TDS deduction towards the settlement amount.

Accordingly, as agreed to by both the parties, the appellant/New India Assurance Company Ltd. is hereby directed to deposit the remaining amount of Rs. 2,07,520/- (Rupees two lakhs seven thousand five hundred twenty) only subject to TDS deduction before the Registry within a period of 1 (one) month from today.

The claimant will be at liberty to withdraw the remaining amount of Rs. 2,07,520/- (Rupees two lakhs seven thousand five hundred twenty) only to be deposited by the Insurance Company along with the earlier deposited amount of Rs. 1,30,146/- (Rupees one lakh thirty thousand one hundred forty-six) only on being proper identification of the claimant's bank details, Aadhar Card, Pan Card etc.

Registry shall return the statutory deposit, if any to the said Insurance Company.

The appeal stands disposed of in terms above.

JUDGE

Comparing Assistant