

GAHC010011212024



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

Case No. : I.A.(Civil)/391/2024

NEW INDIA ASSURANCE CO. LTD.
HAVING ITS REGISTERED OFFICE AT NEW ASSURANCE BUILDING 87,
MAHATMA GANDHI ROAD MUMBAI AND ONE OF THE REGIONAL OFFICE
AT STAR CITY COMPLEX, 5TH FLOOR, LACHIT NAGAR, GUWAHATI
781005, NEAR HANUMAN MANDIR

VERSUS

CHAMPA MAHATO AND 8 ORS.
W/O LATE DEV MAHATO,
RESIDENT OF BALUGADA, PO, PS AND DIST TINSUKIA, ASSAM

2:SMTI RANI MAHATO
W/O LATE DEV MAHATO

RESIDENT OF BALUGADA
PO
PS AND DIST TINSUKIA
ASSAM

3:SRI RAGHUNATH KUMAR SINGH
S/O SEO PUJAN SINGH

RESIDENT OF BALUGADA
PO
PS AND DIST TINSUKIA
ASSAM 786125

4:SRI SANJAY RAY
S/O SRI BHIJU RAY
RESIDENT OF CBI ROAD
TINSUKIA

PO
PS AND DIST TINSUKIA
ASSAM 786125

5:SRI DEEPAK CHETRY
S/O LATE BOL BAHADUR CHETRY
RESIDENT OF LAL GOLA CHANGLANG ROAD
PO AND PS MARGHERITA
DIST TINSUKIA
ASSAM 786181

6:PATKAI TEA GREEN
C/O MR. D.B SOSAR
MISSION ROAD
MARGHERITA PO AND PS MARGHERITA DIST TINSUKIA
ASSAM

7:THE NATIONAL INSURANCE CO. LTD.
HAVING ITS DIVISIONAL OFFICE AT PRAMOD MARKET
RANGAGORA ROAD
TINSUKIA
ASSAM 786125

8:SRI MANGAL MAHATO
S/O LATE DULU MAHATO

RESIDENT BALUGADA
786125
PO
PS AND DIST TINSUKIA
ASSAM

9:SMTI LAKHIMANI MAHATO
W/O SRI RAJMANGAL MAHANAY
RESIDENT BALUGADA
786125
PO
PS AND DIST TINSUKIA
ASSA

Advocate for the Petitioner : MR. K K BHATTA

Advocate for the Respondent :

**BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

ORDER

Date : Name of the conciliators:

1. Ms. Chandana Patowary
2. Ms. Gita Kakati Das

11.05.2024

The case is put up before the National Lok Adalat.

The matter is amicably settled between the parties.

The appellant/claimant, namely, Smti. Champa Mahato, is present before the Court today. She is represented by Mr. A. K. Gupta, learned counsel.

Mr. Suman Das, Assistant Manager, appears for the New India Assurance Company Limited.

It is submitted by both the Claimants No. 2 & 3 and the Insurance Company's representatives that this matter is settled between the parties at an amount of Rs. 37,12,254/- inclusive of all components. This amount will be received by the claimant No. 1, namely, Smt. Champa Mahato as well as by the claimant No. 2, namely, Ms. Rani Mahato as a full and final settlement of their claim.

The Insurance company will deposit the amount of Rs. 37,12,254/- within a period of 45 days from today before the Registry of the Gauhati High Court. Failure to deposit the above-mentioned amount within the stipulated time by the New India Assurance Company Limited, the above amount would carry an interest at the rate of 7% from the date of filing of the claim petition before the learned Tribunal.

From the said amount of Rs. 37,12,254/-; an amount of Rs. 10,00,000/- shall be kept in a fixed deposit account in the name of Ms. Rani Mahato/Claimant No. 2, till the date, she attains the age of majority and the remaining balance of Rs. 27,12,254/-,

shall be released to the Claimant No. 1, namely, Smt. Champa Mahato, by the Registry of this Court upon furnishing of adequate documents by the claimant for their identification and particulars of their respective Bank accounts.

Statutory deposit, if any, made by the Insurance Company being not a part of the amount so settled today; the same may be released to the Insurance Company on an application made by it in this connection.

The instant interlocutory application accordingly stands disposed of in terms of the amicable settlement reached between the parties.

The compromise format signed by the parties is kept on record.

LCRs, if any, be remitted to the concerned Tribunal.

JUDGE

Comparing Assistant