

GAHC010017452016



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

Case No. : MACApp./141/2016

M/S NEW INDIA ASSURANCE CO. LTD
HAVING ITS REGISTERED OFFICE AT NEW INDIA ASSURANCE BUILDING
87, MAHATMA GANDHI ROAD, FORT, MUMBAI 400001 WITH ONE OF ITS
REGIONAL OFFICE AT G.S. ROAD, BHANGAGARH, GUWAHATI-5,
REPRESENTED BY ITS CHIEF REGIONAL MANAGER

VERSUS

SMTI SABITRI NATH and 2 ORS
W/O SRI JAGAT CH. NATH, VILL. BORDALGURI BORBAKARA, P.S. and P.O.
SIPAJHAR-784145, DIST. DARRANG, ASSAM.

2:BARUN BARUAH

S/O A. BARUAH
VILL. and P.O. BALIPARA
T.E. LOKRA 784101
DIST. SONITPUR
ASSAM DRIVER OF THE VEHICLE NO. AS-12/E-2491 BOLERO SL

Advocate for the Petitioner : MS.S DAS

Advocate for the Respondent : MR.R P ROY

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

09.03.2024

This is an appeal filed by the appellant- New India Assurance Co. Ltd. (for short Insurance Company) against the judgment and award dated 15.05.2015 passed by the learned Member, MACT No.2, Guwahati in MAC Case No.147/2012 whereby an amount of Rs.12,16,500/- along with 6% interest, as compensation, was directed to be paid by the appellant-Insurance Company to the claimants-respondents. It has been informed that Rs.10,00,000/- has been deposited by the Insurance Company.

Ms. Hena Haflongbar, Assistant Manager of the New India Assurance Company Ltd. and the claimant No. 1- Sabitri Nath along with her counsel, Shri RP Roy are present today i.e., 09.03.2024 in the National Lok Adalat.

The parties present before this Court jointly submit that the matter has been settled outside the Court and a total amount of Rs.14,87,358/- (Rupees fourteen lakh, eighty seven thousand and three hundred fifty eight) (inclusive interest component) as full and final settlement has been agreed upon. The aforesaid interest component would however be subjected to necessary TDS.

In view of the above, the appeal stands closed with a direction that the Insurance Company shall deposit the balance amount of Rs.4,87,358/- (Rupees four lakh, eighty seven thousand and three hundred fifty eight) (after deduction of TDS) being the full and final settlement before the Registry of this Court within a period of 45 days from today.

The claimant would be at liberty to withdraw the aforesaid amount of Rs.14,87,358/- (Rupees fourteen lakh, eighty seven thousand and three hundred fifty eight) (after deduction of TDS) on being properly identified by her learned counsel.

The statutory deposit of Rs.25,000/- made by the Insurance Company at

the time of filing of the appeal would be refunded by the Registry of this Court to the Insurance Company within the said period of 30 days.

The MAC appeal is accordingly disposed of.

Send back the LCR.

JUDGE

Comparing Assistant