

GAHC010019762024



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

**Case No. : MACApp./66/2024**

DHIRAJ DAS  
S/O LATE BHOLA DAS,  
VILL.- MILANPUR KOCHAR CHUBURI, TEZPUR, P.O. AND P.S.- TEZPUR,  
DIST.- SONITPUR, ASSAM.

VERSUS

GOKUL SEN AND 2 ORS.  
S/O GOPINATH SEN,  
C/O ALOK SEN,  
VILL.- BARPATTHAR, P.S.- BAISISTA, DIST.- KAMRUP.

2:GOPAL SEN  
S/O GOPINATH SEN

VILL.- JAKHIL BILL PATHAR  
P.O. AND P.S.- JAKHIL PATHAR  
DIST.- BARPETA (ASSAM)  
PIN- 781315.

3:NEW INDIA ASSURANCE COMPANY  
TEZPUR BRANCH  
SONITPUR  
ASSAM  
PIN- 784001

**Advocate for the Petitioner : MR. K BHATTACHARJEE**

**Advocate for the Respondent : M CHETIA (r-1,3)**

**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, Dhiraj Das, is present before the Court today. He is represented by Mr. S. Khan, learned counsel.

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

The present appeal has been instituted by the claimant claiming for an enhancement for an amount, awarded by the learned Member, MACT, Sonitpur, Tezpur, in MAC. Case No. 59/2021. The amount awarded by the learned Tribunal along with the interest thereon, was required to be released by the Insurance Company Ltd.

It is submitted by both the claimant and the Insurance Company's representatives that this matter is settled between the parties at a lump-sum amount of Rs. 1,70,000/- inclusive of all components. This amount will be received by the claimant as a full and final settlement of his claim.

The Insurance company will deposit the said amount of Rs. 1,70,000/- 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.

Out of the said amount of Rs. 1,70,000/-; an amount of Rs. 50,000/- shall be kept in a fixed deposit account in the name of the claimant before a nationalized Bank, at least for a period of 3 years. The claimant, herein, will be entitled to withdraw the balance amount from the Registry upon furnishing of adequate documents for identification and particulars of his Bank account.

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 appellant/claimant shall be informed of the date of the deposit of the amount, in question, by the Insurance Company so as to enable the claimant to come and collect the said amount.

The appeal 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**