

GAHC010027372017



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

Case No. : MACApp./306/2017

THE ORIENTAL INSURANCE COMPANY LTD
A CENTRAL GOVT. UNDERTAKING, HAVING ITS REGIONAL OFFICE AT
GUWAHATI, G.S. ROAD, ULUBARI, GUWAHATI 781007 REPRESENTED BY
THE ASSTT. MANAGER GAUHATI REGIONAL OFFICE, ULUBARI,
GUWAHATI 781005

VERSUS

SMTI SUNITA MITTAL and 2 ORS
W/O LATE SURESH KUMAR MITTAL, FLAT NO. 501, 5TH FLOOR, KANYA
APARTMENT, NEAR CHRISTIAN HOSPITAL, CHATTRIBARI, P.S. and P.O.
CHATTRIBARI, GUWAHATI, DIST. KAMRUP M, ASSAM, PIN 781001

2:SUNIL KR. AGARWALA

S/O LATE PARSHURAM AGARWALA
A.T. ROAD
HAIBARGAON
P.O. and P.S. NAGAON
DIST. NAHAON
ASSAM
PIN 782002

3:MOHENDRA KAHAR

S/O LATE JEWDHAR KAHAR
VILL. BORJURI
P.O. and P.S. NAGAON
DIST. NAGAON
ASSAM
PIN 78210

Advocate for the Petitioner : MS.R D MOZUMDAR

Advocate for the Respondent : MS.K BORA R-1

**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 Oriental Insurance Company Limited, represented by Mr. Sudip Bandyopadhyaya, Regional Manager and Mr. T. P. Meetei, Manager, as well as the claimant viz. Smt. Sunita Mittal, are present before the Court today. The Claimant is represented by Ms. D. D. Roy, learned counsel.

It is submitted by both the claimant and the Insurance Company's representatives that this matter is settled between the parties at an amount of Rs. 22,00,000/- inclusive of all components. It is stated that an amount of Rs. 12,12,600/-, inclusive of interest, has already been released by the Insurance Company and accordingly, the balance amount of Rs. 9,87,400/- would now be paid by the Insurance company. This amount will be received by the claimant as a full and final settlement of her claim. The amount of Rs. 12,12,600/- as deposited by the Insurance Company has not been released to the claimant.

The Insurance company will deposit the balance amount of Rs. 9,87,400/- 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 Oriental Insurance 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 amount of Rs. 22,00,000/-; an amount of Rs. 10,00,000/-, 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 and the balance amount be released to the Claimant by the Registry upon furnishing of adequate documents for her identification and also the particulars of her 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 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