

GAHC010028072018



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

Case No. : MACApp./297/2018

UNITED INDIA INSURANCE COMPANY LTD
(SUBSIDIARY OF GENERAL INSURANCE CORPORATION OF INDIA)
REGISTERED HEAD OFFICE AT 24 WHITES ROAD, MADRAS-600014
REPRESENTED BY THE DEPUTY MANAGER, GAUHATI REGIONAL OFFICE,
BHANGAGARH, GUWAHATI-781005

VERSUS

SMT RUNUMA KALITA AND 8 ORS
W/O. MANOHAR KALITA

2:MANOHAR KALITA
F/O. LATE BASANTA KALITA

3:MALABIKA KALITA
D/O. MANOHAR KALITA

4:SANGITA KALITA
D/O. MANOHAR KALITA. ALL ARE RESIDENT OF HOUSE NO. 88
PATARKUCHI
NEAR DURGA MANDIR
BASISTHA CHARIALI
P.O. AND P.S. BASISTHA
DISTRICT- KAMRUP(M)
ASSAM
PIN-781029

5:MD. BUBUL ALI @ BABAL ALI
S/O. MD. A. ALI
R/O. VILL.- TUHURA
BAIHATA CHARIALI
P.S. BAIHATA CHARIALI

DISTRICT- KAMRUP(R)
ASSAM. PIN-781381

6:JAYNAL ALI @ JAINAL ALI
S/O. YAKUB ALI @ EYAKUB ALI
R/O. VILL.- PIYALIKHATA
P.O. BAIHATA CHARIALI
P.S. KAMALPUR
DIST. KAMRUP(R)
ASSAM. PIN-781381

7:BHANWARLAL DHAYAL
S/O. LATE G.R. DHAYAL
R/O. F.A. ROAD
MACHKNOWA
GUWAHATI
DIST. KAMRUP
ASSAM
PIN-781009

8:BIJAY SINGH
S/O. NILA SINGH
C/O. BHANWARLAL DHAYAL
R/O. F.A. ROAD
MACHKHOWA
GUWAHATI
DISTRICT- KAMRUP
ASSAM
PIN-781009

9:THE BRANCH MANAGER

M/S HDFC ERGO GENERAL INSURANCE CO. LTD.
BHANGAGARH
GUWAHATI
ASSAM
PIN-78100

Advocate for the Petitioner : MS. R D MOZUMDAR, MS. C MOZUMDAR,MR. S P SHARMA

Advocate for the Respondent : MR D MONDAL (r-1 to 4),

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

14.09.2024

This is an appeal filed by the appellant-United India Insurance Company Ltd. (for short Insurance Company) against the judgment and award dated 25.09.2017 passed by the Learned Member, Motor Accident Claims Tribunal No. 3, Kamrup (M) in MAC Case No. 1333/2013.

2. Shri A. Munin Choudhury, Regional Manager of the Insurance Company and the claimant no. 1 - Smt. Runuma Kalita (mother) and the claimant no. 2 – Shri Manohar Kalita (father) along with their learned counsel, Shri D. Mondal are present today i.e., 14.09.2024 in the National Lok Adalat.

3. The compensation was divided amongst 2 Insurance Company and the present appeal is preferred by the United India Insurance Company Ltd.

4. It is submitted that an amount of Rs.2,50,000/- was deposited by the Insurance Company which has not been withdrawn by the claimants.

5. The parties present before this Court jointly submit that the matter has been settled between the parties and an additional amount of Rs.3,25,000/- has been agreed upon.

6. In view of the above, the appeal stands closed with a direction that the Insurance Company shall deposit the additional amount of Rs.3,25,000/- being the full and final settlement before the Registry of this Court within a period of 45 days from today.

7. The claimant no. 1 – Smt. Runuma Kalita (mother) would be at liberty to withdraw the total amount of Rs.5,75,000/- on being properly identified by her learned counsel.

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

the time of filing of the appeal would be refunded to the Insurance Company within a period of 30 days.

9. Send back the LCR.

JUDGE

Comparing Assistant