

GAHC010028392024



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

Case No. : MACApp./89/2024

ORIENTAL INSURANCE CO. LTD.
HAVING ITS REGISTERED OFFICE ITS REGISTERED OFFICE AT ORIENTAL
HOUSE, A-25/27, ASAF ALI ROAD, NEW DELHI 110002, AND REGIONAL
OFFICE AT GUWAHATI- 7, REP. BY THE REGIONAL MANAGER.

VERSUS

BIJAYA DAS AND 2 ORS.
W/O LATE HARMOHAN DAS,
VILL.- OJHAPARA, P.S.- AZARA, DIST.- KAMRUP (M), ASSAM, PIN- 781017.

2:INDRAJIT GOSUWAMI
S/O UMESH CH. GOSUWAMI

VILL.- NAHIRA MASTERPARA BIJAY NAGAR
P.O.- PALASHBARI
P.S.- PALASHBARI
DIST.- KAMRUP
ASSAM
PIN- 781132.

3:AZIT KALITA
S/O BIREN KALITA

VILL.- NAHIRA
P.O.- PALASHBARI
P.S.- PALASHBARI
DIST.- KAMRUP
ASSAM
PIN- 781132

Advocate for the Petitioner : MR SISHIR DUTTA, MS. M CHOUDHURY

Advocate for the Respondent : MR. A R AGARWALA (R1), MR ADITYA AGARWALA (R1),MS. R LAILA (R1),MD. K ALI (R1)

**BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA**

ORDER

14.12.2024

(K.R. Surana, J)

Mr. R. Pathak, Dy. Manager, Oriental Insurance Co. Ltd is present. Smt. Bijaya Das, respondent no.1 is present along with Mr. A.R. Agarwala, her learned counsel.

2. Both parties have agreed that after negotiated settlement, the appellant i.e. Oriental Insurance Co. Ltd has agreed to pay a sum of Rs.11,00,000/- (Rupees eleven lakh only), as full and final settlement of all the claims of the respondent no.1 against the order and award dated 16.11.2023, passed by the learned Member, Motor Accident Claims Tribunal No.3., Kamrup(M), Guwahati Assam in MAC Case No.230/2020
3. Accordingly, the matter is settled on compromise in terms of the pre-settlement/compromise slip for the National Lok Adalat, which is made as a part of record.
4. Both the parties shall put their signature in the pre-settlement compromise slip as token of acceptance for the settlement.
5. Accordingly, out of the said sum, an amount of Rs.5,55,009/- (Rupees five lakh fifty five thousand and nine only) has already been deposited with the Registry of this Court by the appellant.

6. The balance amount of Rs.5,44,991/- (Rupees five lakh forty four thousand nine hundred ninety one only) shall be deposited by the appellant i.e. Oriental Insurance Co. Ltd before the Registry of this Court within 30 (thirty) days from the date of the settlement order, failing which the amount shall carry interest @ 9% per annum till the date of deposit.
7. On such deposit being made, the Registry shall release the total compensation amount to the respondent no.1 i.e. Smt. Bijaya Das on satisfaction of her identity.
8. On furnishing proof of the deposit of the entire settlement amount, the Registry shall release the statutory deposit made by the appellant.
9. The matter is disposed of in this Lok Adalat.

JUDGE

Comparing Assistant