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

Case No. : I.A.(Civil)/754/2024

DEBAJITA @ GHUNESA PEGU
W/O LATE HALIRAM @ HALIDHAR PEGU,
RESIDENT OF KARKARAN
PO AND PS BOGINADI DIST LAKHIMPUR, ASSAM

VERSUS

THE NEW INDIA ASSURANCE COM LTD AND ANR
REPRESENTED BY THE REGIONAL MANAGER
GAUHATI GS ROAD, KAMRUP ASSAM

2:SRI PRASANNA BHUYAN
S/O SRI TUNIRAM BHUYAN
RESIDENT OF VILLAGE LANKA PANCHALI
PO AND PS BISWANATH CHARIALI
DIST BISWANATH
ASSA

Advocate for the Petitioner : B R DAS, MS M BHARATI

Advocate for the Respondent : MR. S DUTTA (R-1), MR S DUTTA (R-1),MS S MOCHAHARI (R-1)

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

ORDER

14.12.2024

(K.R. Surana, J)

Mr. S. Das, Assistant Manager of the New India Assurance Co. Ltd. is present.

2. The applicant/appellant, namely, Smt. Debajita @ Ghunesha Pegu, has appeared along with Mr. B.R. Das, her learned counsel. Both sides have agreed that the pre-settlement held between the parties and the respondent no.1/Insurance Company has agreed to pay a sum of Rs.4,30,000/- (Rupees four lakh thirty thousand only) to the applicant/appellant in addition to already deposited amount of Rs.9,70,636/- (Rupees nine lakh seventy thousand six hundred thirty six only), which is inclusive of principal and interest. Therefore, the total settlement amount is Rs.14,00,636/- (Rupees fourteen lakh six hundred thirty six only) as full and final settlement of all the claims of the applicant/appellant against the judgment and award dated 23.09.2021, passed by the learned Member, before the Motor Accident Claims Tribunal, Lakhimpur, North Lakhimpur, Assam in MACT Case No.03/2017.

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. Therefore, in addition to Rs.9,70,636/- (Rupees nine lakh seventy thousand six hundred thirty six only), already deposited a further amount Rs.4,30,000/- (Rupees four lakh thirty thousand only) shall be deposited by the respondent no.1 i.e. the New India Assurance Co. Ltd. before the Registry of the 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.

6. On such deposit being made, out of the sum of Rs.4,30,000/- (Rupees four lakh thirty thousand only), the Registry of the Court shall keep 30% of the amount in a fixed deposit account of any Nationalized Bank for 5 (five) years in favour of the claimant and shall disburse the remaining amount in favour of applicant/appellant, namely, Smt. Debajita @ Ghunesha Pegu, in any one name in which she has a bank account and the balance amount shall be released on satisfaction of her identity.

7. The matter is disposed of in this Lok Adalat.

8. In view of the settlement order passed today, this interlocutory application as well as un-numbered appeal stands closed.

JUDGE

Comparing Assistant