

GAHC010041542020



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

Case No. : MACApp./529/2022

SHAJAHAN ALI
S/O- LATE HASMAT ALI @ ASAMAT ALI, R/O- VILL.- GOROIMARI, P.S.
LAHARIGHAT, DIST.- MORIGAON, ASSAM.

VERSUS

THE NEW INDIA ASSURANCE CO. LTD. AND 2 ORS
G.S. ROAD, ULUBARI, GUWAHATI- 781007.

Advocate for the Petitioner : MR. A RAHMAN, MS.C MOZUMDAR,MS.R D MOZUMDAR

Advocate for the Respondent : MR. B K JAIN, MR.S K JAIN(R- 1&2),MR.B K JAIN(R- 1&2)

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA

ORDER

Date : 14.12.2024

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

2. Shajahan Ali, the appellant along with Ms. M. Malik, learned counsel appearing on behalf of Mr. A. Rahman, his learned counsel is present.

3. After negotiated settlement, the parties have agreed for a total

settlement amount of Rs.8,47,498/- (Rupees eight lakh forty seven thousand four ninety eight only) as full and final settlement of all the claims of the appellant, against the judgment and award dated 17.07.2019, passed by the learned Member, MOTOR ACCIDENT Claims Tribunal, Morigaon in MAC (Injury) Case No. 43/2017. It is submitted that out of Rs.8,47,498/- (Rupees eight lakh forty seven thousand four ninety eight only) a sum of Rs.4,47,498/- (Rupees four lakh forty seven thousand four ninety eight only) has already been paid.

4. 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.

5. Both the parties shall put their signature in the pre-settlement compromise slip as token of acceptance for the settlement.

6. Accordingly, the New India Assurance Co. Ltd./ respondent no.1 shall deposit balance amount of Rs.4,00,000/- (Rupees four lakh only) in favour of the appellant before the MOTOR ACCIDENT Claims Tribunal, Morigaon within a period of 30 (thirty) days from the date of the this settlement order, failing which the amount shall carry interest @ 9% per annum till the date of deposit.

7. On such deposit being made, the balance amount Rs.4,00,000/- (Rupees four lakh only) shall be paid to the appellant on satisfaction of his identity.

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

JUDGE

Comparing Assistant