

GAHC010056422024



undefined

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

Case No. : I.A.(Civil)/1017/2024

ORIENTAL INSURANCE COMPANY LTD
A CENTRAL GOVT. UNDERTAKING HAVING ITS REGIONAL OFFICE AT
GUWAHATI. 781007 REPRESENTED BY THE DEPUTY MANAGER, GAUHATI
REGIONAL OFFICE, ULUBARI, GUWAHATI 781007

VERSUS

MINU GOGOI DUTTA AND 4 ORS.
W/O LATE AMULYA DUTTA,
RESIDENT OF DHOLA GAON, PO DOIGRUNG, PS AND DIST GOLAGHAT,
ASSAM 78572

2:MISS RIMJIM DUTTA
D/O LATE AMULYA DUTTA

RESIDENT OF DHOLA GAON
PO DOIGRUNG
PS AND DIST GOLAGHAT
ASSAM 78572
TO BE REP. BY RES. NO.1

3:MISS SIMIRANI DUTTA
D/O LATE AMULYA DUTTA

RESIDENT OF DHOLA GAON
PO DOIGRUNG
PS AND DIST GOLAGHAT
ASSAM 78572
TO BE REP. BY RES. NO.1

4:SRI DIPAK GOWALA
S/O LATE TARUN GOWALA

RESIDENT OF SUNDARPUR PATHAR
PO LETEKUJAN
PS BOGIJAN
DIST GOLAGHAT
ASSAM 785613

5:SRI MANUJ SAIKIA
S/O BHUPEN SAIKIA
RESIDENT OF CHOUDANG PATHAR GAON
PO CHOWDANGPATHAR
PS MERAPANI
DIST GOLAGHAT ASSAM 78570

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

Advocate for the Respondent : MR B DEORI (R1-R3),

Linked Case :

ORIENTAL INSURANCE COMPANY LTD

VERSUS

MINU GOGOI DUTTA AND 4 ORS. H

Advocate for : MS. R D MOZUMDAR
Advocate for : appearing for MINU GOGOI DUTTA AND 4 ORS. H

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA

ORDER

Date : 14.12.2024

Heard Mr. Rubul Pathak, Deputy Manager, Oriental Insurance Company

Ltd., the appellant.

2. The respondent no.1, namely, Smt. Minu Gogoi has appeared along with her learned counsel.

3. It is submitted that the respondent nos.2 and 3 were minors at the time when the claim was filed and awarded and when the appeal was filed. However, by now, the respondent nos.2 and 3 has become major.

4. After negotiated settlement, the parties have agreed for a total settlement amount of Rs.33,00,000/- (Rupees thirty three lakh only) as full and final settlement of all the claims of the respondents against the order and award dated 15.03.2023, passed by the learned Member, MACT, Golaghat in MAC Case No.131/2019.

5. 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.

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

7. Accordingly, the Oriental Insurance Company Ltd. shall deposit the settlement amount of Rs.33,00,000/- (Rupees thirty three lakh only) in favour of the respondent nos.1 to 3 in equal proportions before the Registry of this Court 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.

8. Out of the settlement amount, 30% of the same be kept in fixed deposit account for 3 (three) years in favour of the respondent nos.1 to 3 each and the balance amount shall be released to the respondent nos.1 to 3 on

satisfaction of their age proof and identity.

9. On furnishing proof of the deposit of the entire settlement amount, the Registry shall release the statutory deposit made by the appellant.

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

JUDGE

Comparing Assistant