

GAHC010059342018



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

Case No. : MACApp./284/2018

UNITED INDIA INSURANCE CO. LTD
HAVING ITS REGISTERED OFFICE AT 24 WHITES ROAD, CHENNAI 800014
AND REGIONAL OFFICE AT GUWAHATI-5, REPRESENTED BY THE
REGIONAL MANAGER

VERSUS

MABIYA KHATUN AND ANR ANR
W/O MOFIZ ALI, VILL. MORISUTIPAM (KUCHIYANI), P.O. KURANIBORI, P.S.
MAYONG, DIST. MORIGAON, ASSAM, PIN

2:SRI MONOJ BARUAH
S/O LT. KRISHNA PRADHAN BARUAH
VILL. CHANDRAPUR TINIALI
P.O. CHANDRAPUR
P.S. PRAGJYOTISHPUR
DIST. KAMRUP (M)
ASSAM
PIN (OWNER OF VEHICLE NO. AS-01/BC-6812
JCB

Advocate for the Petitioner : MR. S DUTTA, MS M GAZLOO, MS. M CHOUDHURY, MS S
MOCHAHARI, MR. C SHARMA

Advocate for the Respondent : MR. SHEELADITYA (R2), MR. P MEDHI (R2), MR. A SHAKIL
(R1), MR. M TALUKDAR (R1)

**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 18.12.2017 passed by the Learned Member, Motor Accident Claims Tribunal, Morigaon in MAC Case No. 09/2016.

2. Shri A. Munin Choudhury, Regional Manager of the Insurance Company and the claimant - Ms. Mabiya Khatun along with her learned counsel, Shri M. Talukdar are present today i.e., 14.09.2024 in the National Lok Adalat.

3. It is submitted that out of the awarded amount of Rs.3,60,000/-, an amount of Rs.1,80,000/- was deposited by the Insurance Company which has also been withdrawn by the claimant.

4. The parties present before this Court jointly submit that the matter has been settled between the parties and a lump sum amount of Rs.2,40,000/- has been agreed upon.

5. In view of the above, the appeal stands closed with a direction that the Insurance Company shall deposit the lump sum amount of Rs.2,40,000/- being the full and final settlement before the Motor Accident Claims Tribunal, Morigaon within a period of 45 days from today.

6. The claimant would be at liberty to withdraw the aforesaid amount on being properly identified by her learned counsel.

7. 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.

8. Send back the LCR.

JUDGE

Comparing Assistant