

GAHC010060452018



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

Case No. : MACApp./280/2018

THE UNITED INDIA INSURANCE COMANY LTD.
HAVING ITS REGISTERED OFFICE AT 24 WHITES ROAD, CHENNAI-600014
AND REGIONAL OFFICE AT CHIBBER HOUSE, G.S. ROAD, GUWAHATI-5,
REPRESENTED BY ITS REGIONAL MANAGER, REGIONAL OFFICE,
GUWAHATI (INSURER OF THE VEHICLE NO. AS-01-AX-1721 (MOTOR
CYCLE))

VERSUS

KAMDEB KALITA AND ANR
S/O LATE HEMKANTA KALITA, R/O VILL BHALUKGATA, PS BOKO,
DIST.KAMRUP, ASSAM

2:CHINMOY CHOUDHURY
S/O LATE UDDHAB CHOUDHURY
R/O VILL BHEHUWA
PS BOKO
DIST. KAMRUP
ASSAM
(OWNER CUM DRIVER OF VEHICLE NO. AS-01-AX-1721 (MOTOR CYCLE))

Advocate for the Petitioner : MR. A DUTTA

Advocate for the Respondent : MR. A BHATTACHARYYA

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 03-04-2024

Heard Mr. K.K. Bhatta, learned counsel appearing for the appellant/Insurance Company.

I have also heard Mr. S. Bhattacharyya, learned counsel appearing for respondent No. 1/claimants.

It submitted by the learned counsel for both the parties that the matter has already been settled between them outside the Court and the learned counsel for the appellant/Insurance Company has agreed to pay the total amount of Rs.8,42,000/- (Rupees eight lakhs forty two thousand) only out of which Rs.7, 60,000/- (Rupees seven lakhs sixty thousand) only has already been deposited by the appellant/Insurance Company before the Registry of this Court.

Since, both the parties have amicably settled the matter outside the Court, the matter is disposed of accordingly.

The Insurance Company is directed to deposit the remaining amount of Rs.1,82,000/- (One Lakhs eighty two thousand) only before the Registry of this Court within 4(four) weeks.

On such deposit, the money shall be disbursed to the respondents/claimants on proper verification and being identified by their engaged counsel.

The statutory despoite of Rs. 25,000/- shall be returned to the Insurance Company/appellant.

Mr. A. Bhatta, learned counsel has submitted a letter issued to him by the Insurance Company, the same shall be marked as 'X' and shall form a part of this record.

In view of the above observations, this appeal stands disposed of.

JUDGE

Comparing Assistant