

GAHC010069002023



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

Case No. : MACApp./339/2023

ICICI LOMBARD GENEAL INSURANCE COMPANY LTD.
(AFTER THE MERGER OF BHARTI AXA GENERAL INSURANCE CO. LTD.
WITH THE ICICI LOMBARD GENERAL INSURANCE CO. LTD.) HAVING ITS
REGISTERED OFFICE AND HEAD OFFICE AT ICICI BANK TOWERS,
BANDRA KURLA COMPLEX, MUMBAI 400051, ITS ZONAL OFFICE AT
APPEJAY HOUSE, 15 PARK STREET 7TH FLOOR, KOLKATA 700016 AND A
BRANCH OFFICE AT KAMAKHYA TOWER 3RD FLOOR, OFFICE NO. 305
AND 306, GS ROAD, GUWAHATI 781005, ASSAM

VERSUS

BIMALA KHATUN AND 5 ORS. H
W/O LATE SHADAR ALI, RESIDENT OF VILLAGE ALIPUR, PO KADONG, PS
KALGACHIA, DIST BARPETA, ASSAM 781319

2:BILLAL HUSSAIN
S/O LATE SHADAR ALI

RESIDENT OF VILLAGE ALIPUR
PO KADONG
PS KALGACHIA
DIST BARPETA
ASSAM 781319

3:SHUFIYA KHATUN
D/O LATE SHADAR ALI

RESIDENT OF VILLAGE ALIPUR
PO KADONG
PS KALGACHIA
DIST BARPETA
ASSAM 781319

4:SADDAM HUSSAIN
S/O LATE SHADAR ALI

RESIDENT OF VILLAGE ALIPUR
PO KADONG
PS KALGACHIA
DIST BARPETA
ASSAM 78131

Advocate for the Petitioner : MR. R GOSWAMI

Advocate for the Respondent : MR. S Ali (R 1-4)

**BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

ORDER

Date : 18-07-2024

Heard Ms. P. Borthakur, learned counsel appearing for the appellant and Mr. A.R. Sikdar, learned counsel appearing for the respondent Nos. 1 to 4.

2. The learned counsel for both the sides have jointly submitted that the interim award of *Rs.27,73,520/- (Rupees Twenty Seven Lakhs Seventy Three Thousand Five Hundred and Twenty)* has already been paid and now the Insurance Company has agreed to pay another amount of *Rs.40,26,480/- (Rupees Forty Lakhs Twenty Six Thousand Four Hundred Eighty)* to the claimants.

3. On the aforesaid terms, both the sides have compromised the case.

4. Ms. Borthakur has submitted the letter issued to her by the Insurance Company and the said letter shall form a part of the record.

5. The Insurance Company is directed to pay the amount of *Rs.40,26,480/- (Rupees Forty Lakhs Twenty Six Thousand Four Hundred Eighty)* within next 4

(Four) weeks. The said amount shall be deposited in the Registry of this Court and on deposit of the money, the claimants shall be at liberty to withdraw the same without any rider.

6. The statutory deposit of Rs.25,000/- (Rupees Twenty Five Thousand) shall be returned to the Insurance Company.

7. The appeal stands disposed of on compromise.

JUDGE

Comparing Assistant