

GAHC010082302023



undefined

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

Case No. : I.A.(Civil)/2119/2023

THE ORIENTAL INSURANCE CO. LTD.
A COMPANY INCORPORATED UNDER THE INDIA COMPANIES ACT, 1956,
REP. BY ITS REGIONAL MANAGER, ULUBARI, GUWAHATI- 7, DIST.-
KAMRUP, ASSAM.

VERSUS

BHONTI DUTTA KAKATI AND 4 ORS.
W/O LATE MOHENDRA KAKATI @ KAKATY,
R/O AMTOLA GOPALPUR, P.S.- PANIGAON, P.O.- JAINPUR, DIST.-
LAHKIMPUR, PRESENTLY RESIDING AT- SIXMILE, P.S.- DISPUR,
GUWAHATI.

2:MONMI KAKATI
D/O LATE MOHENDRA KAKATI @ KAKATY

R/O AMTOLA GOPALPUR
P.S.- PANIGAON
P.O.- JAINPUR
DIST.- LAHKIMPUR
PRESENTLY RESIDING AT- SIXMILE
P.S.- DISPUR
GUWAHATI.

3:DIBYAJYOTI KAKATI
S/O LATE MOHENDRA KAKATI @ KAKATY

R/O AMTOLA GOPALPUR
P.S.- PANIGAON
P.O.- JAINPUR
DIST.- LAHKIMPUR
PRESENTLY RESIDING AT- SIXMILE

P.S.- DISPUR
GUWAHATI.

4:RUBUL DOSTIDAR @ DASTIDAR
S/O ANUP KUMAR DOSTIDAR

R/O SONORIGAON
P.O.- CHABOTI
P.S.- LAKHIMPUR
DIST.- LAKHIMPUR
ASSAM.

5:RIDIP TAMULI
S/O LATE AJOY TAMULI

R/O BAICHAGAON
P.O.- CHARAIMARIA
LAKHIMPUR

Advocate for the Petitioner : MR. S K GOSWAMI, MR. R SHARMA

Advocate for the Respondent : D ROY (r-1),

Linked Case :

THE ORIENTAL INSURANCE CO LTD

VERSUS

BHONTI DUTTA KAKATI AND 4 ORS. E

Advocate for : MR. S K GOSWAMI
Advocate for : appearing for BHONTI DUTTA KAKATI AND 4 ORS. E

Linked Case :

THE ORIENTAL INSURANCE CO LTD

VERSUS

BHONTI DUTTA KAKATI AND 4 ORS. E

Advocate for : MR. S K GOSWAMI

Advocate for : appearing for BHONTI DUTTA KAKATI AND 4 ORS. E

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA

ORDER

Date : 14.12.2024

Heard Mr. Rubul Pathak, Deputy Manager, Oriental Insurance Company Ltd. as well as respondent nos.1, 2 and 3, namely, Smt. Bhonti Dutta Kakati, Miss Monmi Kakati, and Sri Dibyajyoti Kakati are present.

2. After negotiated settlement, the parties have agreed for a total settlement amount of Rs.40,03,000/- (Rupees forty lakh three thousand only) as full and final settlement of all the claims of the respondents against the order and award dated 30.08.2022, passed by the learned Member, MACT No.2, Kamrup (M), Guwahati in MAC Case No.285/2016.

3. 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.

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

5. Accordingly, the Oriental Insurance Co. Ltd. shall deposit the settlement amount of Rs.40,03,000/- (Rupees forty lakh three thousand only) in favour of the respondent nos.1, 2 and 3 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.
6. Out of the settlement amount, a sum of Rs.12,00,000/- (Rupees twelve lakh only) be kept in a fixed deposit account for 3 (three) years in favour of the respondent no.1. An amount of Rs.5,00,000/- (Rupees five lakh only) each shall be released to respondent nos.2 and 3; and the remaining amount shall be released to respondent no.1 on satisfaction of their identity.
7. On furnishing proof of the deposit of the entire settlement amount, the Registry shall release the statutory deposit made by the appellant.
8. The matter is disposed of in this Lok Adalat.

JUDGE

Comparing Assistant