GAHC010083182024

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

Case No. : MACApp./449/2024

UNITED INDIA INSURANCE CO. LTD
HAVING ITS REGISTERED OFFICE AT 24, WHITES ROAD, CHENNAI, TAMIL NADU AND ONE OF THE REGIONAL OFFICE AT CHRISTIAN BASTI, GS ROAD, GUWAHATI 781007

VERSUS

MADHABI DAS AND 5 ORS
W/O SRI BIREN CHANDRA DAS RESIDENT OF VILLAGE PATORIKHAT, PO AND PS CHHAYGAON, DIST KAMRUP R ASSAM 781124

2:SRI BIREN CHANDRA DAS

S/O LATE BHUBAN CHANDRA DAS
RESIDENT OF VILLAGE PATORIKHAT
PO AND PS CHHAYGAON
DIST KAMRUP R ASSAM 781124

3:MAIDUL ISLAM
S/O TAMIZUDDIN AHMED
RESIDENT OF VILLAGE DHEKENABARI
PS CHHAYGAON
DIST KAMRUP R ASSAM 781124

4:RUPCHAND ALI
S/O LATE CHAFAT ALI

RESIDENT OF VILLAGE FUTURI
PS CHHAYGAON
DIST KAMRUP R ASSAM 781124

5:SRI HITESH DAS

W/O SRI BIREN CHANDRA DAS
RESIDENT OF VILLAGE PATORIKHAT
PO AND PS CHHAYGAON
DIST KAMRUP R ASSAM 781124

6:ORIENTAL INSURANCE CO. LTD.
ULUBARI
GUWAHATI

Advocate for the Petitioner : MR. K K BHATRA, MR. A SAIKIA,MS P HUJURI

Advocate for the Respondent : MR D MONDAL, FOR CAVEATOR

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 30.01.2024 passed by the Learned Member, Motor Accident Claims Tribunal No.1, Kamrup (M) in MAC Case No. 205/2015.

2. Shri A. Munin Choudhury, Regional Manager of the Insurance Company and the claimant no. 1 – Smti Madhabi Das and the claimant no. 2 – Shri Biren Chandra Das along with their learned counsel, Shri D. Das are present today i.e., 14.09.2024 in the National Lok Adalat.

3. The parties present before this Court jointly submit that the matter has been settled between the parties and a lump sum amount of Rs.12,00,000/- has been agreed upon.

4. In view of the above, the appeal stands closed with a direction that the Insurance Company shall deposit the aforesaid amount of Rs.12,00,000/- being

the full and final settlement before the Motor Accident Claims Tribunal No. 1, Kamrup (M) within a period of 45 days from today.

5. The manner of release of the aforesaid amount would be in the following terms:

i) Out of the aforesaid awarded amount of Rs.12,00,000/-, Rs.6,00,000/- each is directed to be released to the claimant no. 1 – Smti Madhabi Das (mother) and the claimant no. 2 – Shri Biren Chandra Das (father).

6. The claimants would be at liberty to withdraw the aforesaid amount on being properly identified by their 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.

JUDGE

Comparing Assistant