

GAHC010096272019



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

Case No. : MACApp./54/2020

SRI JOGANANDA DEURY
S/O- SRI MRIGEN NATH DEURY, R/O- VILL.- FATASIL, DATALPARA, P.O.
AND P.S. FATASIL, DHIRENPARA, DIST.- KAMRUP(M), ASSAM.
GUWAHATI25, REP. BY HIS FATHER AND NATURAL GUARDIAN, SRI
MRIGENDRA NATH DEURY, S/O- LATE UPENDRA NATH DEURY.

VERSUS

MAYNUL KHAN AND 2 ORS
S/O- MALAM KHAN, R/O- VILL.- KENDERPARA, P.S. AND DIST.- BARPETA,
ASSAM, PIN- 781314, AT PRESENT RESIDING AT DHIRENPARA, P.S. FATASIL
AMBARI, KAMRUP(M), ASSAM. (DRIVER OF THE OFFENDING VEHICLE).

2:SRI SANKAR MAHATO
S/O- LATE MANOJ MAHATO
R/O- A.T. ROAD
P.O. BHARALUMUKH
5 NO. GATE
P.S. BHARALUMUKH
GUWAHATI-9
DIST.- KAMRUP(M)
ASSAM
PIN- 781009. (OWNER OF THE OFFENDING VEHICLE).

3:NEW INDIA ASSURANCE COMPANY LIMITED

REP. BY ITS CHAIRMAN
REGISTERED HEAD OFFICE AT NEW INDIA ASSURANCE COMPANY
BUILDING
87
MAHATMA GANDHI ROAD
EAST MUMBAI

PIN- 400001.

4:THE MANAGER
NEW INDIA ASSURANCE COMPANY LIMITED

NORTH EASTERN REGIONAL OFFICE
G.S. ROAD
BHANGAGARH
GUWAHATI- 781005

Advocate for the Petitioner :

Advocate for the Respondent : U U KHAN (R-1)

**BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

ORDER

09.03.2024

This is an appeal filed by the appellant-claimant against the judgment and award dated 19.11.2018 passed by the Motor Accident Claims Tribunal No.1, Kamrup (for short MACT) in MAC Case No.64/2012 praying for enhancement of the awarded amount of Rs.2,37,000/-. It is submitted that the Insurance Company has already been deposited the said amount.

Ms. Hena Haflongbar, Assistant Manager of the New India Assurance Company Ltd. and claimant – Mrigen Nath Deury (father of the claimant) and his learned counsel, Shri J. Paul are present today i.e., 09.03.2024 in the National Lok Adalat.

The parties present before this Court jointly submit that the matter has been settled outside the Court and a lump sum amount of Rs.2,50,000/- (Rupees two lakh and fifty thousand) as full and final settlement has been agreed upon.

In view of the above, the appeal stands closed with a direction that the Insurance Company shall deposit the additional agreed amount of Rs.2,50,000/- (Rupees two lakh and fifty thousand) being the full and final settlement before the Registry of this Court within a period of 45 days from today.

The claimant would be at liberty to withdraw the additional agreed amount of Rs.2,50,000/- (Rupees two lakh and fifty thousand) on being properly identified by his learned counsel.

The appeal is accordingly disposed of.

Sent back the LCR.

JUDGE

Comparing Assistant