

GAHC010103062024



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

Case No. : I.A.(Civil)/1569/2024

NATIONAL INSURANCE COMPANY LIMITED
A COMPANY REGISTERED AND INCORPORATED UNDER THE COMPANIES
ACT, 1956, HAVING ITS REGISTERED OFFICE AT 3, MIDDLETON STREET,
KOLKATA AND ONE OF ITS REGIONAL OFFICE G.S. ROAD, BHANGAGARH,
GUWAHATI, REPRESENTED BY ITS REGIONAL MANAGER, GUWAHATI
(ASSAM).

VERSUS

SHIULI BASU @ SIULI BASU @ SHILU BASU AND 5 ORS.
D/O LATE NEPAL BASU,
VILL.- PATHICHARA BAGICHA, P.O.- KUMBHIR, P.S.- UDARBOND, DIST.-
CACHAR, ASSAM.

2:SADHAN BASU
S/O LATE NEPAL BASU

VILL.- PATHICHARA BAGICHA
P.O.- KUMBHIR
P.S.- UDARBOND
DIST.- CACHAR
ASSAM.

3:UMA BASU
D/O LATE NEPAL BASU

VILL.- PATHICHARA BAGICHA
P.O.- KUMBHIR
P.S.- UDARBOND
DIST.- CACHAR
ASSAM.

4:SHAKAN BASU
S/O LATE NEPAL BASU

VILL.- PATHICHARA BAGICHA
P.O.- KUMBHIR
P.S.- UDARBOND
DIST.- CACHAR
ASSAM.

5:SANDIP BHATTACHARJEE
S/O LATE SUDHIR CHANDRA BHATTACHARJEE

R/O R.R. SHOME ROAD
ARYAPATTY
P.S.- SILCHAR
DIST.- CACHAR
ASSAM
PIN- 788002.

6:SAJAL CHANDRA NATH
S/O NRIPENDRA CGANDRA NATH

VILL.- SALGANGA
P.S.-UDARBOND
DIST.- CACHAR
ASSAM
PIN- 788031

Advocate for the Petitioner : MRS. S ROY, MS F N ZAMAN

Advocate for the Respondent : MR A B DEY (R-1),

Linked Case :

NATIONAL INSURANCE COMPANY LTD

VERSUS

SHIULI BASU @ SIULI BASU @ SHILU BASU AND 5 ORS

Advocate for : MRS. S ROY

Advocate for : appearing for SHIULI BASU @ SIULI BASU @ SHILU BASU AND
5 ORS

**BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA**

ORDER

Date : 14.12.2024

Mr. Debojit Sarkar, Assistant Manager, National Insurance Co. Ltd. is present.

2. Shiuli Basu @ Siuli Basu @ Shilu Basu, respondent no.1, Sadhan Basu, respondent no.2 and Shakan Basu, respondent no. 4 are present through video conferencing from the office of the Secretary, DLSA, Cachar and they submits that the respondent no.3, Uma Basu is presently in Bangalore and she is unable to come and they also submits that the respondent no.3 has authorised the respondent no.1, 2 and 4 to take steps on her behalf. Although, Amit Basu is claimant no.5, is not arrayed as respondent in the present appeal. However, he is also present.

3. After negotiated settlement, the parties have agreed for a total settlement amount of Rs.22,00,000/- (Rupees twenty two lakh only) as full and final settlement of all the claims of the respondent nos. 1 to 4 against the judgment and award dated 06.02.2024, passed by the learned MACT, Cachar. Silchar in MAC Case No.170/2018.

4. 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.

5. Both the parties shall put their signature in the pre-settlement compromise slip as token of acceptance for the settlement.
6. Accordingly, the National Insurance Co. Ltd./, appellant shall deposit the settlement amount of Rs.22,00,000/- (Rupees twenty two lakh only) in favour of the respondent nos.1 to 4 before the learned MACT, Cachar at Silchar 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.
7. On such deposit being made, a sum of Rs.1,00,000/- (Rupees one lakh only) each shall be converted into a fixed deposit account for a period of 3(three) years in favour of respondent no.1 to 4 and Amit Basu, claimant no.5 and the balance amount shall be released to the respondent no.1 to 4 and Amit Basu, claimant no.5 in equal proportion on satisfaction of their identity.
8. The Secretary, DLSA, Cachar shall record the signatures of the respondents about the settlement and transmit the same to the Registry of this Court.
9. On furnishing proof of the deposit of the entire settlement amount, the Registry shall release the statutory deposit made by the appellant.
10. The matter is disposed of in this Lok Adalat.

JUDGE

Comparing Assistant