

GAHC010103082024



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

Case No. : MACApp./227/2024

NATIONAL INSURANCE COMPANY LIMITED
A COMPANY REGISTERED AND INCORPORATED UNDER THE INDIA
COMPANIES ACT, 1956, HAVING ITS REGISTERED OFFICE AND HEAD
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

SHAROMA SUKLABAIDYA AND 5 ORS.
W/O LATE SAMLU SUKLABAIDYA @ SAMALU SUKLABAIDYA,
VILL.- DALU CHA BAGAN, P.O.- DALU, P.S.- SILCHAR, DIST.- CACHAR,
ASSAM, PIN- 788111.

2:SUBASH SUKLANAIDYA
S/O SAMLU SUKLABAIDYA @ SAMALU SUKLABAIDYA

VILL.- DALU CHA BAGAN
P.O.- DALU
P.S.- SILCHAR
DIST.- CACHAR
ASSAM
PIN- 788111.

3:SUBHADRA SUKLABAIDYA
D/O SAMLU SUKLABAIDYA @ SAMALU SUKLABAIDYA

VILL.- DALU CHA BAGAN
P.O.- DALU
P.S.- SILCHAR
DIST.- CACHAR
ASSAM

PIN- 788111.

4:KAMAL SUKLABAIDYA
S/O SAMLU SUKLABAIDYA @ SAMALU SUKLABAIDYA

VILL.- DALU CHA BAGAN
P.O.- DALU
P.S.- SILCHAR
DIST.- CACHAR
ASSAM
PIN- 788111.

5:JIYASMIN BARBHUIYA
W/O RAMIZ UDDIN BARBHUIYA

VILL.- RAMNAGAR TILLA GRANT
PART- IV
P.O.- RAMNAGAR
P.S.- SILCHAR
PIN- 788003.

6:AJAY PAUL
S/O AMU PAUL

VILL.- PAILAPOOR
P.O.- PAILAPOOL
P.S.- LAKHIPUR
SILCHAR
PIN- 788098

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

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

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA

ORDER

Date : 14.12.2024

Mr. Debojit Sarkar, Assistant Manager, National Insurance Co. Ltd.,
along with Mr. R. Goswami, learned counsel is present.

2. Smt. Sharoma Suklabaidya, respondent no.1, Sri Subash Suklabaidya,

respondent no.2, Miss Subhadra Suklabaidya, respondent no.3 and Sri Kamal Suklabaidya, respondent no.4 are present through video conference from the office of the Secretary, DLSA, Cachar along with Mr. A.B. Dey, learned advocate at Guwahati.

3. After negotiated settlement, the parties have agreed for a total settlement amount of Rs.16,20,000/- (Rupees sixteen lakh twenty thousand only) as full and final settlement of all the claims of the respondent nos. 1 to 4 against the judgment and award dated 04.03.2024, passed by the learned MACT, Cachar in MAC Case No.118/2022. It is submitted that a sum of Rs.4,57,050/-/- (Rupees four lakh fifty seven thousand and fifty only) has already been deposited before the Registry of this Court.

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 balance amount of Rs.11,62,950/- (Rupees eleven lakh sixty two thousand and fifty 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 nos.1 to 4 and the balance amount shall

be released to the respondent nos.1 to 4 in equal proportion on satisfaction of their identity.

8. The Registry shall also do the needful to transmit a sum of Rs.4,57,050/- (Rupees four lakh fifty seven thousand and fifty only) lying before the Registry of this Court to the learned MACT, Cachar to enable the respondent nos.1 to 4 to withdraw the entire amount from the said MACT, Cachar.

9. The Secretary, DLSA, Cachar shall record the signatures of the respondent nos.1 to 4 about the settlement and transmit the same to the Registry of this Court.

10. On furnishing proof of the deposit of the entire settlement amount, the Registry shall release the statutory deposit made by the appellant.

11. The matter is disposed of in this Lok Adalat.

JUDGE

Comparing Assistant