

GAHC010111322023



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

Case No. : MACApp./222/2023

UNITED INDIA INSURANCE CO LTD.
HAVING ITS REGISTERED HEAD OFFICE AT 24, WHITES ROAD, CHENNAI
AND ONE OF THE REGIONAL OFFICE AT G.S. ROAD, GUWAHATI- 781005.

VERSUS

JADAV DEKA AND 3 ORS.
S/O LATE CHUTIMAN DEKA,
R/O BAGHARALIGAON,
P.S.- DHARAMTUL, PIN- 782105,
DIST.- MORIGAON, ASSAM.

2:BINOD DEKA
S/O JADAV DEKA

R/O BAGHARALIGAON

P.S.- DHARAMTUL
PIN- 782105

DIST.- MORIGAON
ASSAM.

3:DIKI DEKA
S/O JADAV DEKA

R/O BAGHARALIGAON

P.S.- DHARAMTUL
PIN- 782105

DIST.- MORIGAON

ASSAM.

4:JAYANTA HAZARIKA
S/O LATE ATUL HAZARIKA

R/O TELAHI
BHAKATGAON

P.S.- DHARAMTUL
PIN- 782412

DIST.- MORIGAON
ASSAM

Advocate for the Petitioner : MR. K K BHATTA, MRS L SHARMA

Advocate for the Respondent : MR. S RAHMAN (r-1,2,3), MR. Z IQBAL (r-1,2),MR A N IQBAL (r-1,2,3)

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 29.03.2023 passed by the Learned Member, Motor Accident Claims Tribunal No.2, Kamrup (M) in MAC Case No. 1316/2016.

2. Shri A. Munin Choudhury, Regional Manager of the Insurance Company and the claimant no. 1 – Jadav Deka, claimant no. 2 – Shri Binod Deka and claimant no. 3 – Shri Diki Deka along with their learned counsel, Shri AN Iqbal 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.8,00,000/- has been agreed upon.

4. In view of the above, the appeal stands closed with a direction that the Insurance Company shall deposit the additional amount of Rs.8,00,000/- being the full and final settlement before the Motor Accident Claims Tribunal No. 2, 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.8,00,000/-, Rs.5,00,000/-, is directed to be released to the claimant no. 1 – Jadav Deka and Rs.1,50,000/- each is directed to be deposited in a Fixed Deposit scheme in the names of claimant no. 2 – Shri Binod Deka and the claimant no. 3 – Shri Diki Deka in any nationalized bank for a period of 3 years.

6. The claimant no. 1 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