

GAHC010113302018



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

Case No. : MACApp./444/2018

THE NATIONAL INSURANCE COMPANY LTD.
HAVING ITS REGIONAL OFFICE AT 3 MIDDLETON STREET, KOLKATA-
700071 AND REGIONAL OFFICE AT G.S ROAD, BHANGAGARH, GUWAHATI-
5, REPRESENTED BY ITS REGIONAL MANAGER, REGIONAL OFFICE,
GUWAHATI. (INSURER OF THE VEHICLE NO. AS-01/Q-5594, ASTC BUS)

VERSUS

MD. RUSTAM ALI
S/O LATE RAMJAN ALI, R/O VILLAGE DHUPDHARA, BIDYAPARA,
COLLEGE ROAD, P.S. DHUPDHARA, DIST. GOALPARA ,ASSAM, 783101

2:SRI SANKAR GHOSH
S/O LATE BISWANATH GHOSH
R/O A.K. AZAD ROAD
KALAPAHAR
GUWAHATI - 16
DIST. KAMRUP(M)
ASSAM. (OWNER OF THE VEHICLE NO. AS-01/Q-5594
ASTC BUS)

3:SRI PARIMAL PAUL
S/O LATE DHARANI PAUL
R/O VILLAGE EAST KHAGRABARI
P.S. KOCH BIHAR
JALPAIGURI
PIN - 735101. (DRIVER OF THE VEHICLE NO. AS-01/Q-5594
ASTC BUS)

Advocate for the Petitioner : MR. A DUTTA

Advocate for the Respondent : MR. A KHANIKAR

**BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA**

ORDER

Date : 29.07.2024

- 1.** Heard Mr. N. M. Dutta, learned counsel for the appellant. Also heard Mr. B. Islam, learned counsel for the respondent No. 1.
- 2.** It is submitted at the bar that this case was referred to the Gauhati High Court Mediation Centre for mediation and the matter has been amicably settled between the parties during mediation and an agreement dated 14.06.2024 has also been executed between the parties in terms of the settlement arrived at during the mediation.
- 3.** I have perused the report of the Secretary, Gauhati High Court Mediation Centre which states that the mediation between the parties has been successful and parties to this appeal have agreed to terms and conditions for settlement of dispute as mentioned in the mediation agreement dated 14.06.2024 wherein it has been agreed between the parties that total settlement value of the case stands at Rs.23,76,500/- only and the additional amount of Rs.14,00,000/- shall be paid by the appellant to the respondent within a period of ninety days from the date of signing of the mediation agreement by depositing the said amount before the Registry of this Court.
- 4.** In view of the amicable settlement reached between the parties, during the mediation, this appeal is disposed of in terms of the said amicable settlement agreed to between the parties and has reflected in the mediation agreement dated 14.06.2024.
- 5.** As the appellant has already deposited Rs.9,76,500/- before the Registry

of this Court, the remaining amount of Rs.14,00,000/- shall be deposited by the appellant to the respondent No. 1 before this Court before lapse of ninety days from 14.06.2024.

6. This appeal is accordingly disposed of.

7. The Appellant/Insurance Company is allowed to receive back the statutory deposit of Rs.25,000/- which was deposited by the appellant at the time of filing of the instant appeal. The Registry shall refund the said amount after proper verification.

JUDGE

Comparing Assistant