

GAHC010126662024



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

Case No. : MACApp./329/2024

UNITED INDIA INSURANCE COMPANY LTD
A PUBLIC SECTOR UNDERTAKING COMPANY REGISTERED AND
INCORPORATED UNDER THE COMPANIES ACT, 1956, HAVING ITS
REGISTERED OFFICE AT 24 WHITES ROAD CHENNAI 600014 WITH ONE OF
ITS REGIONAL OFFICE AT CHIBBER HOUSE 2ND FLOOR, GS ROAD, ,
GUWAHATI 5, REPRESENTED BY ITS REGIONAL MANAGER, GUWAHATI
ASSAM

VERSUS

PRADIP DEKA AND ORS
S/O LATE HEMANTA DEKA,
RESIDENT OF VILLAGE LOCH, PO AND PS BAIHATA CHARIALI, DIST
KAMRUP(R) ASSAM 781037

2:SRI PRANJAL DEKA
S/O PRASHANTA DEKA

RESIDENT OF VILLAGE LOCH
PO AND PS BAIHATAI CHARIALI
DIST KAMRUP(R) ASSAM 781037

3:SRI KISHORE DEKA
S/O PRASHANTA DEKA

RESIDENT OF VILLAGE LOCH
PO AND PS BAIHATAI CHARIALI
DIST KAMRUP(R) ASSAM 78103

Advocate for the Petitioner : MR. R C PAUL,

Advocate for the Respondent : MR. N. DEBNATH(R-1),

**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 27.03.2024 passed by the Learned Member, Motor Accident Claims Tribunal No.2, Kamrup (M) in MAC Case No. 1030/2018.

2. Shri A. Munin Choudhury, Regional Manager of the Insurance Company and the claimant – Shri Pradip Deka along with his learned counsel, Shri N. Debnath are present today i.e., 14.09.2024 in the National Lok Adalat.

3. It is informed that Rs.15,00,000/- has already been deposited by the Insurance Company, pursuant to the order of this Court.

4. The parties present before this Court jointly submit that the matter has been settled between the parties and a lump sum amount of Rs.28,00,000/- has been agreed upon.

5. In view of the above, the appeal stands closed with a direction that the Insurance Company shall deposit the balance amount of Rs.13,00,000/- being the full and final settlement before the Registry of this Court within a period of 45 days from today.

6. The manner of release of the aforesaid amount would be in the following terms:

- i) Out of the aforesaid awarded amount of Rs.28,00,000/-, Rs.20,00,000/-, is directed to be released to the claimant – Shri

Pradip Deka and the remaining amount of Rs.8,00,000/- is directed to be deposited in a Fixed Deposit scheme in the name of claimant – Shri Pradip Deka in any nationalized bank for a period of 3 years.

7. The claimant would be at liberty to withdraw the aforesaid amount on being properly identified by his learned counsel.

8. 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