

GAHC010159092024



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

Case No. : MACApp./506/2024

SUJIT SAHA

S/O. SRI. RANJIT SAHA @ RANJIT KUMAR SAHA, R/O. VILL. WARD NO. 8,
P/O. AND P/S. DHEKIAJULI, DIST. SONITPUR, ASSAM.

VERSUS

FAKARUDDIN SEKH AND 5 ORS

S/O. MD. AJIMUDDIN SEKH, VILL. NO. 1 MEDHICHUBURI, P/S. AND P/O.
DHEKIAJULI, DIST. SONITPUR, ASSAM.

2:SRI. MANOJ GUPTA

S/O. LATE SHIV PUJAN GUPTA
VILL. WARD NO. 2
P/O. DHEKIAJULI
P/S. DHEKIAJULI
DIST. SONITPUR
ASSAM.

3:MD. JAMAL ALI

S/O. LATE OHAD ALI
VILL. DHIRAJ MAJULI
P/S. DHEKIAJULI
DIST. SONITPUR
ASSAM.

4:BIKASH JAISWAL

S/O. SRIRAJ KUMAR JAISWAL
WARD NO. 2
P/O. AND P/S. DHEKIAJULI
DIST. SONITPUR
ASSAM

5:THE NEW INDIA ASSURANCE CO. LTD.
TEZPUR BRANCH
P/O. AND P/S. TEZPUR
DIST. SONITPUR
ASSAM.

6:THE BRANCH MANAGER
THE NEW INDIA ASSURANCE CO. LTD.
DHEKIAJULI BRANCH
P/O. AND P/S. DHEKIAJULI
DIST. SONITPUR
ASSA

Advocate for the Petitioner : MR. K BHATTACHARJEE, S KHAN,MS T BARUAH,MS. A
BARMAN,ABBASH U AHMED

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA

ORDER

14.12.2024

(K.R. Surana, J)

Mr. S. Das, Assistant Manager, New India Assurance Co. Ltd is present. The appellant/applicant, namely, Sujit Saha, is present along with Mr. A.U. Ahmed, his learned counsel.

2. Both parties have agreed that after negotiated settlement, the respondent i.e. New India Assurance Co. Ltd has agreed to pay a sum of Rs.9,84,334/- (Rupees nine lakh eighty four thousand three hundred thirty four only), as full and final settlement of all the claims of the appellant/applicant against the judgment and award dated 17.05.2024, passed by the learned Member, Motor Accident Claims Tribunal, Sonitpur in MAC Case No.125/2016 (Injury).

3. 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.
4. Both the parties shall put their signature in the pre-settlement compromise slip as token of acceptance for the settlement.
5. Accordingly, out of the said sum, an amount of Rs.5,84,334/- (Rupees five lakh eighty four thousand three hundred thirty four only) has already been deposited with the Registry of this Court by the respondent.
6. The balance amount of Rs.4,00,000/- (Rupees four lakh only) shall be deposited by the respondent i.e. New India Assurance Co. Ltd before the learned Member, Motor Accident Claims Tribunal Sonitpur, Tezpur within 30 (thirty) days from the date of the settlement order, failing which the amount shall carry interest @ 9% per annum till the date of deposit.
7. On such deposit being made, the learned Tribunal shall disburse the said amount in favour of the appellant/applicant, namely, Sujit Saha, on satisfaction of his identity.
8. The matter is disposed of in this Lok Adalat.

JUDGE

Comparing Assistant