

GAHC010163232024



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

Case No. : MACApp./457/2024

UNITED INDIA INSURANCE COMPANY LTD
HAVING ITS REGISTERED OFFICE AT 24, WHITES ROAD, CHENNAI AND
ONE OF THE REGIONAL OFFICE AT G.S. ROAD, DISPUR

VERSUS

MAINUL @ MAINUR ALI AND 2 ORS
S/O. LT MANIR ALI, R/O. VILL. AMONI, P.S BELSAR, PIN-781304, DIST.
NALBARI, ASSAM.

2:MD. MAINUL HOQUE
S/O. LT. MASHEB ALI
R/O. VILL. DIGHELI
P.O. DIGHELI
PIN-781371
DIST. NALBARI
ASSAM.

3:SRI. GHANASHYAM TALUKDAR
S/O. HARGOBINDRA TALUKDAR
VILL. AND P.O. BENNABARI
PIN-78133
DIST. BAKSHA(BTAD)
ASSA

Advocate for the Petitioner : MR. K K BHATTA,

Advocate for the Respondent : ,

**BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

ORDER

14.09.2024

This is an appeal filed by the appellant-United India Insurance Co. Ltd. (for short Insurance Company) against the judgment and award dated 17.05.2024 passed by the learned Member, Motor Accident Claims Tribunal No. 2, Kamrup (M), Guwahati (for short MACT, Guwahati) in MAC Case No. 368/2019 whereby an amount of Rs. 16,18,597.38/- was directed to be paid by the Insurance Company.

Shri A Munin Chowdhury, Regional Manager of the Insurance Company and the claimant-Mainul @ Mainur Ali along with his learned counsel, Ms. K Patgiri are present today i.e., 14.09.2024 in the National Lok Adalat.

The parties present before this Court jointly submit that the matter has been settled between the parties and an amount of Rs.17,50,000/- as full and final settlement has been agreed upon.

In view of the above, the appeal stands closed with a direction that the Insurance Company shall deposit the amount of Rs.17,50,000/- being the full and final settlement before the MACT, Guwahati within a period of 45 days from today.

The claimant would be at liberty to withdraw the aforesaid amount on being properly identified by his learned counsel. The manner of release of the aforesaid amount would be in the following terms:

- i) Out of the aforesaid amount of Rs.17,50,000/-, an amount of Rs. 5,00,000/- is directed to be deposited in a Fixed Deposit scheme in the name of claimant-Mainul @ Mainur Ali in any nationalized bank for a period of 3 years,
- ii) The remaining amount of Rs. 12,50,000/- is directed to be released in

favour of the claimant.

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