

GAHC010168392017



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

Case No. : MACApp./282/2021

NATIONAL INSURANCE CO. LTD
A GOVT. OF INDIA UNDERTAKING CO. HAVING ITS REGISTERED OFFICE
AT NO. 3 MIDDLETON STREET, KOLKATA AND ONE OF THE REGIONAL
OFFICE SITUATED AT G.S. ROAD, BHANGAGARH, GUWAHATI 781005

VERSUS

MUSSTT JUSNA KHANAM and 5 ORS
W/O LT. SHAHAB UDDIN RESIDANT OF VILLAGE DURARA, P O
KANAIBAZAR PS PATHARKANDI DIST KARIMGANJ ASSAM PIN 788724

2:MD MAHMADUL HASAN
SON OF LATE SHAHAB UDDIN

3:MD ABDULLA AL AHASAN
SON OF LATE SHAHAB UDDIN

4:MUSSTT MAHMUDA BEGUM
D/O LATE SHAHAB UDDIN

5:MUSSTT MASHUDA NURI
D/O LT. SHAHAB UDDIN

6:MD NASIR UDDIN
SO LT SAMSUL ISLAM AND BROTHER OF LT SHAHAB UDDIN
ALL THE RESPONDENT NO 1 TO 6 ARE RESIDENT OF VILLAGE DUGARA
PO KANAIBAZAR PS PATHARKANDI DIST KARIMGANJ ASSAM PIN 788724

7:MD JAHURUL ISLAM
S/O MD SAD UDDIN
R/O VILL NALBARI
PO AND PS PATHERKANDI DIST KARIMGANJ PIN 788724(OWNER OF

VEHICLE NO AS 10-5995

Advocate for the Petitioner : MR.B K PURKAYASTHA, MR. R GOSWAMI,MS.K DEKA

Advocate for the Respondent : MR. P D NAIR, MR S R A NASER,,

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA

ORDER

Date : 14.12.2024

Heard Mr. Debajit Sarkar, Assistant Manager, National Insurance Co. Ltd., the appellant.

2. The respondent nos.1 to 3, namely, Musstt. Jusna Khanam, Md. Mahmadul Hasan and Md. Abdulla Al. Ahasan respectively are present along with their learned counsel and they have produced a authority letter for respondent no.4 and 5, the daughters of the respondent no.1. The same is made as a part of record.

3. After negotiated settlement, the parties have agreed for a total settlement amount of Rs.22,00,000/- (Rupees twenty two lakh only) as full and final settlement of all the claims of the respondent against the order and award dated 30.09.2016, passed by the learned Additional District Judge (FTC), Karimganj in MAC Case No. 80/2010.

4. It is also submitted that when the claim was made and decided and the appeal was filed, the respondent nos.2 to 5 were minors. In the meanwhile, they have attained majority.

5. 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.

6. Both the parties shall put their signature in the pre-settlement compromise slip as token of acceptance for the settlement.
7. Accordingly, the Bajaj Allianz General Insurance Company Ltd. shall deposit the settlement amount of Rs.22,00,000/- (Rupees twenty two lakh only) in favour of the respondent nos.1 to 5 before the learned Additional District Judge (FTC), Sribhumi (earlier Karimganj) within a period of 30 (thirty) days from the date of this settlement order, failing which the amount shall carry interest @ 9% per annum till the date of deposit.
8. The settlement amount shall be released to the respondent no.1 to 5 in equal proportion on satisfaction of their identity.
9. On furnishing proof of the deposit of the entire settlement amount, the Registry shall release the statutory deposit made by the appellant.
10. The matter is disposed of in this Lok Adalat.

JUDGE

Comparing Assistant