

GAHC010172292017



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

Case No. : MACApp./73/2019

NEW INDIA ASSURANCE COMPANY LTD.
HAVING ITS REGISTERED AND HEAD OFFICE AT NEW INDIA ASSURANCE
BUILDING, 87 MAHATMA GANDHI ROAD, FORT, MUMBAI 400001 AND
REGIONAL OFFICE AT G.S. ROAD, GUWAHATI-5, REPRESENTED BY THE
CHIEF REGIONAL MANAGER

VERSUS

MRS. RUNILLA BASUMATARY and 2 ORS
W/O SRI BHARAT CH. BASUMATARY, VILL. RNB CIVIL HOSPITAL CAMPUS,
P.S. KOKRAJHAR, DIST. KOKRAJHAR, ASSAM, 788301.

2:JAYANTA SARMA

S/O SRI BIBEKANANDA SARMA
R/O SOUTH SARANI
GUWAHATI-7
PRESENT ADDRESS SARBODY PATH
ABC
BHANGAGARH
GUWAHATI
ASSAM
PIN 78100

Advocate for the Petitioner : MS. N MODI, MR. S DUTTA, MR. C SHARMA, MR. SIDHANT
DUTTA, MR. N KALITA

Advocate for the Respondent : MR. S K TALUKDAR, MR. B K BHAGAWATI (R-2), MR. D BANIA
(R-1)

**BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA**

ORDER

Date : 14.12.2024

In this case, the claimant is Mr. Bharat Ch. Basumatary, which appears from the copy of the award dated 04.02.2017, passed by the learned Member, MACT No.3, Kamrup (M), Guwahati in MAC Case No.695/2007 (1348/2007). However, in the cause title of this appeal, the wife, who is the representative of the claimant, is arrayed as respondent no.1.

2. The claimant himself is present today along with Ms. M. Devi, learned counsel and he has admitted that after negotiated settlement, the parties have agreed for a total settlement amount of Rs.13,46,000/- (Rupees thirteen lakh forty six thousand only) as full and final settlement of all the claims of the respondent against the order and award dated 04.02.2017, passed by the learned Member, MACT No.3, Kamrup (M), Guwahati in MAC Case No.695/2007 (1348/2007). Out of the settlement amount, an amount of Rs.5,73,007/- (Rupees five lakh seventy three thousand seven only) has already been deposited before the Registry of this Court.

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, the New India Assurance company Ltd. shall deposit the remaining settlement amount of Rs.7,72,993/- (Rupees seven lakh seventy

two thousand nine hundred ninety three only) in favour of the claimant before the Registry of this Court within a period of 30 (thirty) days from the date of the this settlement order, failing which the amount shall carry interest @ 9% per annum till the date of deposit.

6. Out of the remaining settlement amount, 30% be kept in a fixed deposit account for 3 (three) years in favour of the claimant and the balance amount shall be released to the claimant on satisfaction of his identity.

7. On furnishing proof of the deposit of the entire settlement amount, the Registry shall release the statutory deposit made by the appellant.

8. The matter is disposed of in this Lok Adalat.

JUDGE

Comparing Assistant