

GAHC010177362024



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

Case No. : MACApp./435/2024

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

VERSUS

SAROJANI MALLICK AND 2 ORS
M/O. LT. DILIP MALLICK, R/O. VILL. AMGURI, P.S. BAITHALANGSHO, DIST.
KARBI ANGLONG, ASSAM, PIN-782450

2:MD. RIFUL ISLAM
S/O. ABDUL MAZID
R/O-C/O. KESHAB MEDHI
AMIYA NAGAR
H/N-110
BYE LANE-1
CHANDMARI
P.S- CHANDMARI
DIST. KAMRUP (M)
ASSAM
PIN-781003.

3:MD. AJGAR ALI
S/O. ABDUL MAZID
R/O. VILL. 2 NO. NARAMARI
P.O. BANGALDHARA
P.S DHARAMTUL
DIST. MORIGAON
ASSAM
PIN-78241

Advocate for the Petitioner : MR. R GOSWAMI, MS. M SAIKIA, MS. P BORTHAKUR

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 Company Ltd. (for short Insurance Company) against the judgment and award dated 25.06.2024 passed by the Learned Member, Motor Accident Claims Tribunal No.2, Kamrup (M) in MAC Case No. 310/2017.

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

3. The parties present before this Court jointly submit that the matter has been settled between the parties and a lump sum amount of Rs.14,80,000/- has been agreed upon.

4. In view of the above, the appeal stands closed with a direction that the Insurance Company shall deposit the aforesaid amount of Rs.14,80,000/- being the full and final settlement before the Motor Accident Claims Tribunal No. 2, Kamrup (M) within a period of 45 days from today.

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

- i) Out of the aforesaid awarded amount of Rs.14,80,000/-, Rs.10,80,000/- is directed to be released to the claimant – Smti. Sarojani Mallick and the remaining amount of Rs.4,00,000/- is

directed to be deposited in a Fixed Deposit scheme in the name of claimant – Smti. Sarojani Mallick in any nationalized bank for a period of 3 years.

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

7. 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