

GAHC010179392024



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

Case No. : MACApp./454/2024

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

VERSUS

JONALI THAKURIA AND 5 ORS
W/O. LT. DIGANTA THAKURIA R/O. VILL- BATAKUCHI, P.S- CHAYGAON,
PIN-781124, DIST- KAMRUP (M), ASSAM.

2:SRI. ARUP THAKURIA
S/O. LT. DIGANTA THAKURIA
R/O. VILL.- BATAKUCHI
P.S- CHAYGAON
PIN-781124
DIST-KAMRUP(M)
ASSAM.

3:SRI. HAREN THAKURIA
S/O. LT. DEBEN THAKURIA
R/O. VILL.- BATAKUCHI
P.S- CHAYGAON
PIN-781124
DIST-KAMRUP(M)
ASSAM.

4:JYOTSNA THAKURIA
W/O. SRI. HAREN THAKURIA
R/O. VILL.- BATAKUCHI
P.S- CHAYGAON
PIN-781124
DIST-KAMRUP(M)
ASSAM.

5:SRI. RANJIT KUMAR BAISHYA
S/O. PADMA KUMAR BAISHYA
R/O. HOUSE NO.7
WARD NO.-16 AK DEB ROAD
P.S. FATASIL AMBARI
PIN-781025
DIST-KAMRUP(M)
ASSAM.

6:SRI. LAKHESWAR BORO
S/O. BABUL BORO
R/O. VILL.-NALBARI KULSI
P.O-KULSI
PIN-781128
P.S-PALASBARI
DIST. KAMRUP(M)
ASSAM

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 11.06.2024 passed by the learned Member, Motor Accident Claims Tribunal No. 2, Kamrup (M), Guwahati (for short MACT, Guwahati) in MAC Case No. 375/2018 whereby an amount of Rs. 15,98,718.56/- along with interest was directed to be paid by the Insurance Company.

Shri A Munin Chowdhury, Regional Manager of the Insurance Company and the claimant nos.1-Smti. Jonali Thakuria and 4-Ms. Jyotsna Thakuria along with their learned counsel, Shri BC Thakuria 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.17,00,000/- 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.17,00,000/- being the full and final settlement before the MACT, Guwahati within a period of 45 days from today.

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

- i) Out of the aforesaid amount of Rs. 17,00,000/-, Rs.7,00,000/- is directed to be released in favour of the claimant no. 1-Smti. Jonali Thakuria;
- ii) Rs. 3,50,000/- is directed to be released in favour of the claimant no. 3-Shri Haren Thakuria;
- iii) Rs.3,50,000/- is directed to be released in favour of the claimant no. 4-Ms. Jyotsna Thakuria; and
- iv) Rs. 3,00,000/- is directed to be deposited in Fixed Deposit scheme in the name of claimant nos. 2-Shri Arup Thakuria in any nationalized bank for a period of 3 years.

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