

GAHC010180352024



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

Case No. : MACApp./452/2024

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, AND REPRESENTED BY THE CHIEF REGIONAL MANAGER,
GUWAHATI REGIONAL OFFICE, G.S. ROAD, DISPUR, GUWAHATI-781005.

VERSUS

AJIT KUMAR AND 5 ORS
S/O. LT. CHANDIRAM KUMAR

2:SMTI. DIPALI KUMARI
W/O. SRI. AJIT KUMAR

3:SMTI. KAKALI KUMARI
D/O. SRI. AJIT KUMAR

4:SMTI. LINU KUMARI
D/O. SRI. AJIT KUMAR
ALL ARE RESIDENTS OF VILL.-SALESALA (PASANIPARA)
P.O. BONGARA
P.S. PALASBARI
DIST. KAMRUP
ASSAM

PIN-781015.RESPONDENT NO. 4 BEING MINOR IS REPRESENTED BY HER
LEGAL GUARDIAN MOTHER RESPONDENT NO. 2

5:SRI. DIPJYOTI NATH
S/O. SRI. DIMBESWAR NATH
R/O. VILL. BELOGURI(SHYAM NAGAR)
P.O. BONGARA
P.S. AZARA

DIST. KAMRUP
ASSAM
PIN-781015.

6:SRI. HARKANTA NATH
S/O. LT. LT. K.C. NATH
VILL. BELORGURI
P.O. BONGARA
P.S. AZARA
DIST. KAMRUP
ASSAM
PIN-78101

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

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 14.06.2024 passed by the Learned Member, Motor Accident Claims Tribunal No.2, Kamrup (M) in MAC Case No. 1572/2019.

2. Shri A. Munin Choudhury, Regional Manager of the Insurance Company and the claimant no. 1 – Shri Ajit Kumar, claimant no. 2 – Smti Dipali Kumari and claimant no. 4 – Smti. Linu Kumari along with their learned counsel, Shri A. Baishya 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.23,50,000/- 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.23,50,000/- being the full and final settlement before the Registry of this Court 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.23,50,000/-, Rs.19,50,000/-, is directed to be released to the claimant no. 2 – Smti. Dipali Kumari (mother) and an amount of Rs.2,00,000/- each is directed to be deposited in a Fixed Deposit scheme in the names of claimant no. 3 – Smti. Kakali Kumari and the claimant no. 4 – Smti. Linu Kumari in any nationalized bank for a period of 3 years.

6. The claimant no. 2 would be at liberty to withdraw the aforesaid amount on being properly identified by her 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