

GAHC010183872024



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

Case No. : MACApp./470/2024

UNITED INDIA INSURANCE CO LTD
HAVING ITS REGISTERED AND HEAD OFFICE AT 24 WHITES ROAD,
CHENNAI, 600014 AND ONE OF THE REGIONAL OFFICE AT GS ROAD,
DISPUR GUWAHATI 781005

VERSUS

RANU RABHA AND 4 ORS
W/O LATE TAPAN RABHA,
RESIDENT OF VILLAGE BARIAPARA, PO AND PS RANGJULI, DIST
KAMRUP ASSAM 783130

2:SMTI MACHALI RABHA.
W/O GOPEN RABHA

RESIDENT OF VILLAGE BARIAPARA
PO AND PS RANGJULI
DIST KAMRUP ASSAM 783130

3:SHRI MOHIT RABHA
S/O LATE TAPAN RABHA

RESIDENT OF VILLAGE BARIAPARA
PO AND PS RANGJULI
DIST KAMRUP ASSAM 783130.
TO BE REP. BY RES. NO. 1

4:SRI MITHILESH KUMAR MANDAL
S/O THAKUR MANDAL.
RESIDENT OF JOWAHAR NAGAR
BELTOLA
PS BASISTHA

GUWAHATI
DIST KAMRUPM ASSAM 781029

5:SRI MOKAT RABHA

S/O LADHAN RABHA

RESIDENT OF VILLAGE BELPARA
PO AND PS RANGJULI
DIST GOALPARA
ASSAM
78313

Advocate for the Petitioner : MR. A J SAIKIA, MR. S. PEGU,M CHETIA

Advocate for the Respondent : B DUTTA (R-1,2),

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 25.06.2024 passed by the learned Member, Motor Accident Claims Tribunal No. 2, Kamrup (M), Guwahati (for short MACT, Guwahati) in MAC Case No. 1458/2018 whereby an amount of Rs. 16,25,550.72/- 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-Ms. Ranu Rabha along with her learned counsel, Ms. B Dutta 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.21,00,000/- 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.21,00,000/- 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. 21,00,000/-, Rs.10,00,000/- is directed to be released in favour of the claimant no. 1-Ms. Ranu Rabha;
- ii) Rs. 4,00,000/- is directed to be released in favour of the claimant no. 2-Ms. Machali Rabha;
- iii) Rs. 2,00,000/- is directed to be deposited in Fixed Deposit scheme in the name of claimant no. 1-Ms. Ranu Rabha in any nationalized bank for a period of 3 years.; and
- iv) Rs. 5,00,000/- is directed to be deposited in Fixed Deposit scheme in the name of claimant no. 3-Shri Mohit Rabha 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