

GAHC010187602023



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

Case No. : I.A.(Civil)/2492/2023
In MAC App No. 626/2017

MUSTT ABJAN NESSA and ANR.
W/O MD. OHED ALI, R/O VILL. BALIGAON, P.O. BASHBERA, P.S.
THELAMARA, DIST. SONITPUR, ASSAM, PIN 784506

2: MUSTT. MORJINA KHATUN

W/O LATE NIZAMUDDIN @ NIZAM ALI
R/O VILL. BALIGAON
P.O. BASHBERA
P.S. THELAMARA
DIST. SONITPUR
ASSAM
PIN 78450

VERSUS

M/S BAJAJ ALLIANZ GENERAL INSURANCE CO. LTD.,
HAVING ITS REGISTERED OFFICE AT GE PLAZA, AIRPORT ROAD,
YERWADA, PUNE 411006 AND A BRANCH OFFICE AT B.BAROOAH ROAD,
ULUBARI, GUWAHATI.

Advocate for the Petitioner : MR. DITUL DAS

Advocate for the Respondent : MR T KALITA

**BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

ORDER

03-06-2024

Heard Shri D. Das, learned counsel for the applicants. Also heard Shri T. Kalita, learned counsel for the respondent-Insurance company.

By this application, the applicants have prayed for a correction of the order dated 12.12.2020 passed by this Court in terms of a settlement arrived at in the Lok Adalat held on that date.

Shri Das, the learned counsel for the applicants has submitted that though there is no disputes in principle with the amount in question, it appears that due to an incorrect submission, this Court had recorded that out of the total settled amount of Rs.12,00,000/- (Rupees Twelve Lakh) only, an amount of Rs.7,19,775/- (Rupees Seven Lakh Nineteen Thousand Seven Hundred Seventy Five) only was paid to the claimants. It is submitted that the aforesaid amount of Rs.7,19,775/- (Rupees Seven Lakh Nineteen Thousand Seven Hundred Seventy Five) only was actually deposited in the Registry of this Court which was yet to be released to the claimants. This Court has however been informed that so far as the remaining amount of Rs.4,80,225/- (Rupees Four Lakh Eighty Thousand Two Hundred Twenty Five) is concerned there is no dispute and the same has in the meantime been deposited and also released to the applicants.

Shri Kalita, the learned counsel for the Insurance Company does not object to the aforesaid prayer for correction.

In view of the above, the order dated 12.12.2020 stands modified by directing that the initial amount of Rs.7,19,775/-(Rupees Seven Lakh Nineteen Thousand Seven Hundred Seventy Five) only be also released to the

applicants/claimants on being properly identified.

The aforesaid release be done within a period of one month from today.

IA stands allowed.

JUDGE

Comparing Assistant