

GAHC010194682022



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

Case No. : MACApp./869/2022

AMZAD MONDAL
S/O LATE ABUL MONDAL,
RESIDENT OF VILLAGE TOTPARA, PO BAHALPUR, PS CHAPUR, DIST
DHUBRI, ASSAM

VERSUS

THE BRANCH MANAGER NEW INDIA ASSURANCE CO. LTD. AND ORS.
CHAPAGURI ROAD, BONGAIGOAN,

2:THE MANAGER/PROPRIETOR/DIRECTOR
BRAHMAPUTRA CARGO CARRIER PVT. LTD. NEW DELHI 110033

3:SRI BINOD KUMAR
S/O NATH RAM
RESIDENT OF ASVI
PO ASVI
KANPUR
DEHAT
UTTAR PRADESH 209310

4:THE BRANCH MANAGER
ORIENTAL INSURANCE CO. LTD
DHUBRI
D.K ROAD
DHUBRI
ASSA

Advocate for the Petitioner : N. UDDIN, MR. S M RAHMAN,MR. M I HUSSAIN

Advocate for the Respondent : ,

**BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA**

ORDER

Date : 14.12.2024

Mr. S. Das, Assistant Manager, New India Assurance Co. Ltd. is present.

2. Azad Mondal, the appellant along with Mr. M.I. Hussain, his learned counsel is present.

3. After negotiated settlement, the parties have agreed for a total settlement amount of Rs.4,61,117/- (Rupees four lakh sixty one thousand one hundred seventeen only) as full and final settlement of all the claims of the appellant, against the judgment and award dated 22.06.2022, passed by the learned Member, Motor Accident Claims Tribunal, Bongaigaon in MAC Case No. 99/2019. It is submitted that out of Rs.4,61,117/- (Rupees four lakh sixty one thousand one hundred seventeen only), a sum of Rs.1,61,117/- (Rupees one lakh sixty one thousand one hundred seventeen only) has already been paid to the appellant.

4. Accordingly, the matter is settled on compromise in terms of the pre-settlement/compromise slip for the National Lok Adalat, which is made as a part of record.

5. Both the parties shall put their signature in the pre-settlement compromise slip as token of acceptance for the settlement.

6. Accordingly, the New India Assurance Co. Ltd./ respondent shall deposit balance amount of Rs.3,00,000/- (Rupees three lakh only) in favour of

the appellant before the Motor Accident Claims Tribunal, Bongaigaon within a period of 30 (thirty) days from the date of the this settlement order, failing which the amount shall carry interest @ 9% per annum till the date of deposit.

7. On such deposit being made, the balance amount Rs.3,00,000/- (Rupees three lakh only) shall be released to the appellant on satisfaction of his identity.

8. The matter is disposed of in this Lok Adalat.

JUDGE

Comparing Assistant