

GAHC010197612019



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

Case No. : MACApp./93/2022

ASMINA KHATUN AND 2 ORS
- W/O LATE SONAULLAH SHEIKH, R/O VILL-DINANATHPUR, P.S.-
JOGIGHOPA, DIST-BONGAIGAON, ASSAM

2: MUSSTT. SONA BHANU
W/O LATE ABJAL MANDAL
R/O VILL-DINANATHPUR
P.S.-JOGIGHOPA
DIST-BONGAIGAON
ASSAM

3: ISMAIL HUSSAIN
S/O LATE SONAULLAH SHEIKH
R/O VILL-DINANATHPUR
P.S.-JOGIGHOPA
DIST-BONGAIGAON
ASSAM (REPRESENTED BY APPELLANT NO. 1 (MOTHER) BEING MINOR)

VERSUS

THE DIVISIONAL MANAGER
NEW INDIA ASSURANCE COMPANY LIMITED AND 2 ORS
BONGAIGAON DIVISION
P.O. AND DIST-BONGAIGAON
ASSAM PIN-783380

2:DEBANANDA MEDHI
S/O LATE BIREN CH. MEDHI
R/O VILL-KACHUTOLA PART-I
P.O.-KHELUAPARA P.S.-JOGIGHOPA DIST-BONGAIGAON
ASSAM PIN-783371

3:GIAS UDDINS/O LATE SARMAN ALI R/O VILL-KACHARIBHITA
P.O.-BAHALPUR P.S.-CHAPAR DIST-DHUBRI ASSAM PIN-783371

Advocate for the Petitioner : MR. M KHAN, MR. J. RAHMAN
Advocate for the Respondent :

BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

Name of the conciliators:

1. Ms. Chandana Patowary
2. Ms. Gita Kakati Das

(O R D E R)

Date : 11.05.2024

The case is put up before the National Lok Adalat.

The matter is amicably settled between the parties.

Smt. Asmina Khatun, claimant, herein, and the respondents New India Assurance Company Limited, represented by Mr. Suman Das, Assistant Manager; are present before the Court today. The claimant is represented by Mr. M. Khan, learned counsel.

It is submitted by both the claimant and the Insurance Company's representatives that this matter is settled between the parties at an amount of Rs. 6,50,000/- inclusive of all components as a full and final settlement of his claim.

The Insurance company will deposit the amount of Rs. 6,50,000/- within a period of 45 days from today before the Registry of the Gauhati High Court. Failure to deposit

the above-mentioned amount within the stipulated time by the New India Assurance Company Limited, the above amount would carry an interest at the rate of 7% from the date of filing of the claim petition before the learned Tribunal.

Out of the amount of Rs. 6,50,000/-; an amount of Rs. 2,00,000/-, shall be released to the Claimant No.3, and an amount of Rs. 1,50,000/-be kept in a fixed deposit account in the name of the claimant No. 2 at least for a period of 5 years or the date he attains majority whichever is later. The remaining amount of Rs. 3,00,000/- be released to the claimant No. 1. The amounts be so released to the claimants upon furnishing of documents for establishing their identities as well as particulars of their Bank account.

Statutory deposit, if any, made by the Insurance Company being not a part of the amount so settled today; the same may be released to the Insurance Company on an application made by it in this connection.

The appeal accordingly stands disposed of in terms of the amicable settlement reached between the parties.

The compromise format signed by the parties is kept on record.

LCRs, if any, be remitted to the concerned Tribunal.

JUDGE

Comparing Assistant