

GAHC010210022018



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

Case No. : MACApp./741/2022

NATIONAL INSURANCE COMPANY LIMITED
HAVING ITS REGD. OFFICE AT KOLKATTA AND ONE OF THE REGIONAL
OFFICE AT GS ROAD, GUWAHATI

VERSUS

SMT ANIMA RAHANG AND 3 ORS
W/O ANAN RAHANG RESIDENT OF VILL. CHAKANIBARI PO GANDHI
NAGAR, PS KHETRI, DIST KAMRUP M ASSAM 782403 PRESENT ADDRESS
C/O UPEN BARETHAI VILLAGE TIKHABARI, PO UDORI PS MORIGAON,
DIST MORIGAON, ASSAM 782105

2:SRI ATUL RAHANG
S/O LATE ANAN RAHANG

RESIDENT OF VILL. CHAKANIBARI
PO GANDHI NAGAR

PS KHETRI
DIST KAMRUP M ASSAM 782403
PRESENT ADDRESS
C/O UPEN BARETHAI
VILLAGE TIKHABARI

PO UDORI
PS MORIGAON
DIST MORIGAON
ASSAM 782105

3:SRI JITU RAHANG
S/O LATE ANAN RAHANG

RESIDENT OF VILL. CHAKANIBARI
PO GANDHI NAGAR

PS KHETRI
DIST KAMRUP M ASSAM 782403
PRESENT ADDRESS
C/O UPEN BARETHAI
VILLAGE TIKHABARI

PO UDORI
PS MORIGAON
DIST MORIGAON
ASSAM 78210

Advocate for the Petitioner : MR S S SHARMA

Advocate for the Respondent :

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

09.03.2024

This is an appeal filed by the appellant-National Insurance Company Ltd. (for short Insurance Company) against the judgment and award dated 12.04.2018 passed by the Motor Accident Claims Tribunal, Morigaon (for short MACT, Morigaon) in MAC Case No. 49/2015 whereby an amount of Rs.9,10,000/- along with 6% interest, as compensation, was directed to be paid by the appellant-Insurance Company to the claimants-respondents.

Ms. Mary Pegu, Regional Manager of the Insurance Company and the claimant nos. 1. Smti. Anima Rahang; 2. Shri Atul Rahang and 3. Shri Jitu Rahang along with their learned counsel, Shri M Talukdar are present today i.e., 09.03.2024 in the National Lok Adalat.

It is submitted that an amount of Rs. 4,55,000/- was deposited by the

Insurance Company which has also been withdrawn by the claimants.

The parties present before this Court jointly submit that the matter has been settled between the parties and a lump sum amount Rs.5,00,000/- 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.5,00,000/- being the full and final settlement before the Registry of this Court within a period of 45 days from today.

The claimant nos. 2 and 3 have agreed that the amount be released in the name of the claimant no. 1.

The claimant no. 1 would be at liberty to withdraw the aforesaid amount on being properly identified by her learned counsel.

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.

Send back the LCR.

JUDGE

Comparing Assistant