

GAHC010211752021



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

Case No. : MFA/194/2021

NATIONAL INSURANCE CO. LTD.
HAVING ITS REGISTERED AND HEAD OFFICE AT 3 MIDDLETON STREET,
KOLKATA-700071 AND ONE OF THE REGIONAL OFFICES AT M.S.S. PATH,
BHANGAGARH, GUWAHATI-781005.

VERSUS

ATAVARI AND 5 ORS.
W/O- LATE LAL CHAND KEWAT @ LALACHANDA, PERMANENT
RESIDENT OF VILL.- LEDAURA, P.S. AHIRLA, P.O. GAHAJI, DIST.-
AZAMGARH, UTTAR PRADESH PATHAR, PIN- 223221.

2:AMIT KUMAR NISHAD
S/O- LATE LAL CHAND KEWAT @ LALACHANDA
PERMANENT RESIDENT OF VILL.- LEDAURA
P.S. AHIRLA
P.O. GAHAJI
DIST.- AZAMGARH
UTTAR PRADESH PATHAR
PIN- 223221.

3:RAM ANUJ NISHAD
S/O- LATE LAL CHAND KEWAT @ LALACHANDA
PERMANENT RESIDENT OF VILL.- LEDAURA
P.S. AHIRLA
P.O. GAHAJI
DIST.- AZAMGARH
UTTAR PRADESH PATHAR
PIN- 223221.

4:BANDANA
D/O- LATE LAL CHAND KEWAT @ LALACHANDA

PERMANENT RESIDENT OF VILL.- LEDAURA
P.S. AHIRLAULA
P.O. GAHAJI
DIST.- AZAMGARH
UTTAR PRADESH PATHAR
PIN- 223221.

5:MANEESHA NISHAD
D/O- LATE LAL CHAND KEWAT @ LALACHANDA
PERMANENT RESIDENT OF VILL.- LEDAURA
P.S. AHIRLAULA
P.O. GAHAJI
DIST.- AZAMGARH
UTTAR PRADESH PATHAR
PIN- 223221.

6:SANJAY SINGH
S/O- SRI SHIO KUMAR SINGH
HOUSE NO. 46
TARUN NAGAR
ABC
G.S. ROAD
GUWAHATI
DIST.- KAMRUP(M)
ASSAM
PIN- 781005

Advocate for the Petitioner : MR. A J SAIKIA, MR G S BORO,MR. B KAKATI

Advocate for the Respondent : MR G JALAN (r-1 to 5), MR. N BHATRA (r-1 to 5),MR. S K SANGANERIA (r-1 to 5)

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA

ORDER

Date : 14.12.2024

Mr. Debojit Sarkar, Assistant Manager, National Insurance Co. Ltd. is present.

2. Smt. Atavari, respondent no.1 and Ram Anuj Nishad, respondent no.2 along with Mr. G. Jalan, their learned counsel are present.

3. The respondent nos. 1 and have produced authority letter on behalf of respondent nos. 2, who is son, and respondent nos. 4 and 5, who are daughters of the respondent no.1 for not being able to come to Court today. The said authority letter shall be kept as a part of record.

4. After negotiated settlement, the parties have agreed for a total settlement amount of Rs.10,00,000/- (Rupees ten lakh only) as full and final settlement of all the claims of the respondents against the judgment and award dated 25.10.2021, passed by the learned Commissioner, Employees' Compensation, Kamrup in EC Case No.14/2017.

5. 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.

6. It is submitted that the respondent nos. 4 and 5 have attained marriageable age and therefore, out of the settled amount, substantial amount be released in the name of respondent no.1 for the marriage expenses.

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

8. Accordingly, the National Insurance Co. Ltd./, appellant shall deposit the settlement amount of Rs.10,00,000/- (Rupees ten lakh only) in favour of the respondents before the Registry of this Court 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.

9. On such deposit being made, a sum of Rs.4,00,000/- (Rupees four lakh only) shall be released in the name of respondent no.1 and Rs.1,50,000/-

(Rupees one lakh fifty thousand only) each shall be released to the respondent nos. 2 to 5 on satisfaction of their identity.

10. On furnishing proof of the deposit of the entire settlement amount, the Registry shall release the statutory deposit made by the appellant.

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

JUDGE

Comparing Assistant