

GAHC010214262024



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

Case No. : I.A.(Civil)/3338/2024

PUJA DEVI
W/O LATE PRAKASH SARMAH,
RESIDENT OF VILLAGE UTTAR GINGIA, PO GINJIYA PS GINJIYA, DIST
BISWANATH, ASSAM
T/ADD- C/O DIPAK SARMAH, VILLAGE CHANDMARI, PS LALMATI, DIST
SONITPUR, ASSAM

VERSUS

TATA AIG GEN. INSURANCE COM LTD AND ANR G
3RD FLOOR, MAYUR GARDEN GS ROAD, BHANGAGARH, OPP. HDFC
BANK, GUWAHATI ASSAM 05

Advocate for the Petitioner : MS M BHARATI,

Advocate for the Respondent : MR. R GOSWAMI,

BEFORE
HONOURABLE MR. JUSTICE K. SEMA

ORDER

Date : 05-11-2024

Heard Mr. B.R Das, learned counsel for the applicant/claimant and Mr. R. Goswami, learned counsel for the opposite party/Tata AIG Insurance Co. Ltd.

The joint compromise application has been filed by the claimant and the respondent No. 1 in MAC Appeal No.130/2024. The paragraph-1, 2, 3 & 4 of the compromise application

read as follows;

“1. That your humble Respondent No.1/petitioner begs to state that the appellant preferred a Motor Accident Claim appeal before the Hon’ble Court against the Judgment and Award dated 22.01.2024 passed by the Learned Member, MACT, SONITPUR in MAC. Case No. 29/2020(D) for enhancement of the compensation.

2. That the petitioner begs to state that during the pendency of the MAC Appeal No.130/2024 the Respondent No.1, M/s TATA AIG General Insurance Company Ltd. has received an application from the Appellant /Claimant for compromise settlement of the case at Rs.16,00,000.00 (Rupees Sixteen Lakhs only) in all which shall discharge the Respondent Insurer of all liabilities.

3.That the petitioner begs to state that there is no threat or any force from the Appellant/Claimant to withdraw from the instant appeal. Therefore since both the parties have come to an amicable settlement at Rs.16,00,000/(Rupees Sixteen Lakhs only) as full and final amount towards settlement only the amount of Rs.16,00,000/(Rupees Sixteen Lakhs only) will be deposited after once order is passed before the Registry of this Hon'ble Court by the petitioner/Appellant Insurance company.

4. That the petitioners begs to state that this compromise petition has been filed on behalf of Appellant/Claimant Mrs Puja Devi and the Respondent No.1 M/S TATA AIG General Insurance Co Ltd with a prayer to allow the parties to make the compromise during the pendency of the appeal. “

After hearing the submissions made by the learned counsel for the parties and on perusal of the application, this Court accepts the compromise application executed by the parties and the applicant/claimant is also accordingly allowed to withdraw the MAC Appeal No. 130/2024.

The application stands disposed.

JUDGE

Comparing Assistant