

GAHC010227292023



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

Case No. : MACApp./25/2024

AMINA BEGUM AND 2 ORS
W/O LATE RUBUL AMIN.
RESIDENT OF EAST GOTANAGAR, ADINGIRI PATH, MALIGAON, DIST
KAMRUP M ASSAM

2: MD. ROHIT AMIN
S/O LATE RUBUL AMIN.
RESIDENT OF EAST GOTANAGAR
ADINGIRI PATH
MALIGAON
DIST KAMRUP M ASSAM

3: SMTI KAMALA BEGUM
M/O LATE RUBUL AMIN.
RESIDENT OF EAST GOTANAGAR
ADINGIRI PATH
MALIGAON
DIST KAMRUP M ASSA

VERSUS

PULAK DEKA AND ANR
S/O SRI RAMALA DEKA,
RESIDENT OF BUDRUKUCHI, PS AND DIST NALBARI, ASSAM 781348

2:NEW INDIA ASSURANCE CO. LTD.
HAVING ITS REGIONAL OFFICE AT STAR CITY COMPLEX
5TH FLOOR
ULUBARI
GUWAHATI 07
REPRESENTED BY THE REGIONAL MANAGE

Advocate for the Petitioner : MR D MONDAL

Advocate for the Respondent :

**BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

ORDER

09.03.2024

This is an appeal filed by the appellants-claimants against the judgment and award dated 19.07.2023 passed by the Motor Accident Claims Tribunal No.1, Kamrup (for short MACT) in MAC Case No.2671/2016 praying for enhancement of the awarded amount of Rs.15,28,400/-. The claimants are widow, son and mother of the deceased. It is informed that the awarded amount has already been paid to the claimants.

Ms. Hena Haflongbar, Assistant Manager of the New India Assurance Company Ltd. and claimant No.1- Smti Amina Begum, claimant No. 2 – Md. Rohit Amin and claimant No. 3 – Smti. Kamala Begum along with their learned counsel, Shri D. Mondal are present today i.e., 09.03.2024 in the National Lok Adalat.

The parties present before this Court jointly submit that the matter has been settled outside the Court and a lump sum amount of Rs.7,75,000/- (Rupees seven lakh and seventy five thousand) 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 additional / lump sum agreed amount of Rs.7,75,000/- (Rupees seven lakh and seventy five thousand) being the full and final settlement before the Registry of this Court within a period of 45 days from today.

The claimants would be at liberty to withdraw the total amount of Rs.7,75,000/- on being properly identified by their learned counsel. The manner of release of the aforesaid amount would be in the following terms:

- i. Rs.4,00,000/- is directed to be deposited in a Fixed Deposit scheme in the name of claimant No. 2 – Md. Rohit Amin in any nationalized bank for a period of 5 years.
- ii. The remaining amount of Rs.3,75,000/- is directed to be released in the name of claimant no. 1 – Smti. Amina Begum.

The appeal is accordingly disposed of.

JUDGE

Comparing Assistant