

GAHC010234262023



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

Case No. : MACApp./398/2023

NATIONAL INSURANCE COMPANY LIMITED
HAVING ITS REGISTERED OFFICE AND HEAD OFFICE AT 3, MIDDLETON
STREET, KOLKATA AND ITS REGIONAL OFFICE AT BHANGAGARH, G.S.
ROAD, GUWAHATI- 781005 REPRESENTED BY THE CHIEF REGIONAL
MANAGER, GUWAHATI REGIONAL OFFICE.

VERSUS

RITA BALA BRAHMA ADN 3 ORS.
D/O LATE RABINDRA BRAHMA,
VILL.- POLASHGURI, P.O.- DULIGAON, P.S.- BAGARIBARI, DIST.-
KOKRAJHAR, ASSAM, PIN- 783373.
REP. BY RESPONDENT NO. 2.

2:BIRULA @ RIRALA BRAHMA
W/O LATE RABINDRA BRAHMA

VILL.- POLASHGURI
P.O.- DULIGAON
P.S.- BAGARIBARI
DIST.- KOKRAJHAR
ASSAM
PIN- 783373.

3:MONOWER HOSEN
S/O SAMSUDDIN SK

VILL.- SOULMARI PT I
P.O.- BARKANDA
P.S.- BILASIPARA
DIST.- DHUBRI
ASSAM

PIN- 783348.

4:RABI BARMAN
S/O TOLENDRA BARMAN

VILL.- 137 RAJAPARA PT II
P.S.- BAGRIBARI
KOKRAJHAR BTAD
ASSAM
PIN- 783349

Advocate for the Petitioner : MR T KALITA

Advocate for the Respondent : MR. A BHATTACHARYYA (r-1)

**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 13.07.2023 passed by the Motor Accident Claims Tribunal No. 2, Kamrup (M), Guwahati in MAC Case No. 531/2022 whereby an amount of Rs.93,31,655/- along with 9% interest per annum, as compensation, was directed to be paid by the appellant-Insurance Company to the claimant-respondent.

Ms. Mary Pegu, Regional Manager of the Insurance Company and the claimant-Ms. Rita Bala Brahma along with her counsel, Shri S Singh 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 between the parties at an agreed amount of Rs.80,00,000/-.

It is submitted that an amount of Rs. 40,00,000/- was deposited by the Insurance Company which has also been withdrawn by the claimant.

Shri Singh, learned counsel assisting the claimant no. 1 has informed this Court that FDR of Rs. 10,00,000/- has been created.

In view of the above, the appeal stands closed with a direction that the Insurance Company shall deposit the balance amount of Rs.40,00,000/- being the full and final settlement before the Registry of this Court within a period of 45 days from today.

The claimant 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, if any.

JUDGE

Comparing Assistant