

GAHC010240702017



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

Case No. : MACApp./453/2017

NEW INDIA ASSURANCE COMPANY LTD
HAVING ITS REGISTERED OFFICE AND HEAD OFFICE AT 87 M.G. ROAD,
FORT, MUMBAI AND ITS REGIONAL OFFICE AT G.S. ROAD,
BHANGAGARH, GUWAHATI.

VERSUS

SMTI MRIDULA CHOUDHURY and 5 ORS
W/O LATE TIRTHA NATH CHOUDHURY

2:MISS DIMPI CHOUDHURY
D/O LATE TIRTHA NATH CHOUDHURY

3:MISS JUIPITARA CHOUDHURY
D/O LATE TIRTHA NATH CHOUDHURY

4:NILIM CHOUDHURY
S/O LATE TIRTHA NATH CHOUDHURY
ALL ARE R/O VILL. BARBANG
MOUZA UTTAR BAJALI
P.S. PATACHARKUCHI
DIST. BARPETA
ASSAM

RESPONDENT NOS. 2 TO 4 BEING MINORS ARE REPRESENTED BY THEIR
NATURAL GUARDIAN
MOTHER I.E. RESPONDENT NO.

Advocate for the Petitioner : MS.M SAIKIA

Advocate for the Respondent : MS.M DASGUPTA

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

ORDER

09.03.2024

This is an appeal filed by the appellant- New India Assurance Co. Ltd. (for short Insurance Company) against the judgment and award dated 12.05.2016 passed by the learned Member, MACT, Barpeta in MAC Case No.219/2014 whereby an amount of Rs.51,06,652/-, as compensation, was directed to be paid by the appellant-Insurance Company to the claimants-respondents. It is informed that out of the aforesaid amount, Rs.40,00,000/- has already been paid.

Ms. Hena Haflongbar, Assistant Manager of the New India Assurance Company Ltd. and the claimant No. 1- Smti. Mridula Choudhury along with her counsel, Shri Kumud Pathak 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 whereby the appellant would pay an additional amount of Rs.10,00,000/- (Rupees ten lakh) including the interest as full and final settlement has been agreed upon. The interest component would however be subject to necessary TDS.

In view of the above, the appeal stands closed with a direction that the Insurance Company shall deposit the additional agreed amount which is being the full and final settlement before the Registry of this Court within a period of 45 days from today.

The claimant No. 1 would be at liberty to withdraw the aforesaid agreed 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 by the Registry of this Court to the Insurance Company within the said period of 30 days.

The MAC appeal is accordingly disposed of.

Send back the LCR.

JUDGE

Comparing Assistant