

GAHC010250622023



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

Case No. : MACApp./420/2023

NATIONAL INSURANCE COMPANY LTD.
HAVING ITS REGISTERED OFFICE AT 3, MIDDLETON STREET, KOLKATA
AND ONE OF THE REGIONAL OFFICES KNOWN AS GUWAHATI REGIONAL
OFFICE AT G.S. ROAD, BHANGAGARH, GUWAHATI- 5.

VERSUS

BASANA NANDI AND 3 ORS.
MOTHER OF LATE SRI SANTU NANDI,
GHARIALDUBI, P.S.- BOKAJAN, KARBI ANGLONG ASSAM, PIN- 782450.

2:NAINA NANDI
SISTER OF LATE SRI SANTU NANDI

GHARIALDUBI
P.S.- BOKAJAN
KARBI ANGLONG ASSAM
PIN- 782450.

3:RABINDRA NANDI
FATHER OF LATE SRI SANTU NANDI

GHARIALDUBI
P.S.- BOKAJAN
KARBI ANGLONG ASSAM
PIN- 782450.

4:BISWAJIT PAUL
S/O SRI BIJOY PAUL

GHARIALDUBI
P.S.- BOKAJAN

KARBI ANGLONG ASSAM
PIN- 782450

Advocate for the Petitioner : MR. K K BHATTA, MRS L SHARMA

Advocate for the Respondent : DR. U BARUAH (R-1 TO 3), MR. K K DUTTA(R-1 TO 3),RANJU R S BARUAH(R-1 TO 3)

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

14.09.2024

This is an appeal filed by the appellant- National Insurance Company Ltd. (for short Insurance Company) against the judgment and award dated 21.08.2023 passed by the Learned Member, Motor Accident Claims Tribunal No.1, Kamrup (M) in MAC Case No. 873/2017.

2. Shri P.D. Bhutia, Regional Manager along with Shri Debajit Sarka, Assistant Manager of the Insurance Company and the claimant no. 1 – Smti. Basana Nandi, claimant no. 2 – Smt. Naina Nandi and the claimant no. 3 – Shri Rabindra Nandi along with their learned counsel, Shri KK Dutta are present today i.e., 14.09.2024 in the National Lok Adalat.

3. It is submitted that an amount of Rs.7,02,235/- was deposited by the Insurance Company.

4. The parties present before this Court jointly submit that the matter has been settled between the parties and a lump sum amount of Rs.17,40,000/- has been agreed upon.

5. In view of the above, the appeal stands closed with a direction that the Insurance Company shall deposit the balance amount of Rs.10,37,765/- being

the full and final settlement before the Registry of this Court within a period of 45 days from today.

6. The parties have agreed that the aforesaid amount be released to the claimant no. 1 – Smti. Basana Nandi (mother of the deceased). The Registry is directed to release the same on being properly identified by her learned counsel.

7. 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.

JUDGE

Comparing Assistant