

GAHC010265322022



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

Case No. : I.A.(Civil)/3854/2022

SMTI. ANKITA RABHA AND 2 ORS.
W/O LATE AMIT RABHA,
VILL.- BABUPARA,
P.O.- AGIA,
P.S. AGIA,
DIST.- GOALPARA, ASSAM.

2: BIROJA RABHA
REP. BY THE APPLICANT NO. 1.
W/O LATE HOLESH CHANDRA RABHA

VILL.- BABUPARA

P.O.- AGIA

P.S. AGIA

DIST.- GOALPARA
ASSAM.

3: MANOSHJOTI RABHA
MINOR
REP. BY HIS MOTHER ANKITA RABHA
APPLICANT NO. 1.
S/O LATE AMIT RABHA

VILL.- BABUPARA

P.O.- AGIA

P.S. AGIA

DIST.- GOALPARA
ASSAM

VERSUS

NEW INDIA ASSURANCE COMPANY LIMITED AND ANR.
REP. BY ITS DIVISIONAL MANAGER,
P.O.- BONGAIGAON,
P.S.- BONGAIGAON,
DIST.- BONGAIGAON, ASSAM, PIN- 783380.

2:ROPHUL MARAK
S/O LATE R.C. SANGMA

R/O JATIA
WARD NO. 59
KAHILIPARA
GUWAHATI- 781009

DIST.- KAMRUP (METRO)
ASSAM

Advocate for the Petitioner : MR. DITUL DAS

Advocate for the Respondent : MR. K K BHATTA (r-1)

Linked Case :

SMTI. ANKITA RABHA AND 2 ORS

VERSUS

NEW INDIA ASSURANCE COMPANY LIMITED AND ANR

Advocate for :

Advocate for : appearing for NEW INDIA ASSURANCE COMPANY LIMITED AND
ANR

**BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

Name of the conciliators:

1. Ms. Chandana Patowary
2. Ms. Gita Kakati Das

(O R D E R)

Date : 11.05.2024

The case is put up before the National Lok Adalat.

The matter is amicably settled between the parties.

Smti. Ankita Rabha, claimant, herein, and the respondents New India Assurance Company Limited, represented by Mr. Suman Das, Assistant Manager; are present before the Court today. The claimant is represented by Mr. B. J. Talukdar, learned counsel.

It is submitted by both the claimant and the Insurance Company's representatives that this matter is settled between the parties at an amount of Rs. 3,75,000/- inclusive of all components as full and final settlement of their claim.

The Insurance company will deposit the amount of Rs. 3,75,000/- within a period of 45 days from today before the Registry of the Gauhati High Court. Failure to deposit the above-mentioned amount within the stipulated time by New India Assurance Company Limited, the above amount would carry an interest at the rate of 7% from the date of filing of the claim petition before the learned Tribunal.

Out of the amount of Rs. 3,75,000/-; an amount of Rs. 75,000/-, shall be released to the Claimant No.3 and shall be kept in a fixed deposit account in his name before a nationalized Bank at least for a period of 5 years; and an amount of Rs. 1,50,000/- each be released to the Claimants No. 1 and 2, respectively, by the Registry upon furnishing of adequate documents for their identification as well as the particulars of their Bank accounts.

Statutory deposit, if any, made by the Insurance Company being not a part of the amount so settled today; the same may be released to the Insurance Company on an application made by it in this connection.

The interlocutory application accordingly stands disposed of in terms of the amicable settlement reached between the parties.

The compromise format signed by the parties is kept on record.

LCRs, if any, be remitted to the concerned Tribunal.

JUDGE

Comparing Assistant