

GAHC010267162023



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

**Case No. : MACApp./449/2023**

M/S SHRIRAM GENERAL INSURANCE COMPANY LIMITED  
HAVING ITS REGISTERED HEAD OFFICE AT E-8, EPIP, SITAPURA  
INDUSTRIES AREA, JAIPUR, RAJASTHAN- 302022 WITH ONE OF ITS  
BRANCH OFFICE AT B.R. ARCHADE, 3RD FLOOR, ULUBARI, GUWAHATI-  
781007, (REP. BY ITS ASSISTANT MANAGER (LEGAL), SRI RAJENDRA  
DUTTA, 36 YEARS).

VERSUS

SAHID ALI AND 2 ORS.  
S/O LATE MAFIZ ALI,  
VILL.- AMINGAON MARIAPATTY, P.O.- AMINGAON, PIN- 781031, P.S.-  
NORTH GUWAHATI, DIST.- KAMRUP, ASSAM.

2:MOSTAFA ALI  
S/O LATE ALI AKBAR ALI

C/O MD. TOFIJUR RAHMAN

R/O KRISHNA NAGAR  
DISPUR  
GUWAHATI  
P.O.- DISPUR  
PIN- 781005  
P.S.- DISPUR  
DIST.- KAMRUP (M)  
ASSAM.

3:MOSTIFIJUL ISLAM  
S/O RAFIQUUL ISLAM  
VILL.- AGGYATHURI  
P.O.- DASARA

PIN- 781104  
P.S.- HAJO  
DIST.- KAMRUP  
ASSAM

**Advocate for the Petitioner** : MR. P HAZARIKA

**Advocate for the Respondent** : MR D MONDAL (R-1)

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

**ORDER**

**09.03.2024**

This is an appeal filed by the appellant-Shriram General Insurance Company Ltd. (for short Insurance Company) against the judgment and award dated 11.09.2023 passed by the Motor Accident Claims Tribunal No. 2, Kamrup (M), Guwahati in MAC Case No. 1833/2020 whereby an amount of Rs.25,44,042/- along with 9% interest per annum, as compensation, was directed to be paid by the appellant-Insurance Company to the claimant-respondent.

Shri Rajendra Dutta, Legal Manager of the Insurance Company and the claimant-Shri Sahid Ali along with his counsel, Shri NI Choudhury 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 a lump sum amount of Rs.24,00,000/-.

It is submitted that an amount of Rs. 12,72,021/- has already been deposited by the Insurance Company which has also been withdrawn by the claimant.

In view of the above, the appeal stands closed with a direction that the

Insurance Company shall deposit the balance amount of Rs.11,27,979/- being the full and final settlement before the Registry of this Court within a period of 45 days from today.

In view of the changed circumstances, the earlier direction towards creation of FDR is modified to the extent that out of the aforesaid amount, the claimant shall open a FD of Rs. 5,00,000/- in his name in any nationalized bank for a period of 5 years.

Accordingly, the claimant would be at liberty to withdraw the remaining amount of Rs.6,27,979/- on being properly identified by his 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**