

GAHC010290752019



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

Case No. : MACApp./528/2022

THE NATIONAL INSURANCE COMPANY LIMITED
REGISTERED HEAD OFFICE AT 3, MIDDLETON STREET, CALCUTTA-
700071, REPRESENTED BY THE MANAGER, GAUHATI REGIONAL OFFICE,
BHANGAGARH, GUWAHATI-781005, KAMRUP(M), ASSAM

VERSUS

SHRI DHARMESWAR DAS AND 2 ORS
S/O LATE MANMOHAN DAS, RESIDENT OF VILLAGE BISHNUPUR, P.O.
AND P.S.BARPETA, DISTRICT BARPETA, ASSAM, PIN 781301 (FOR AND ON
BEHALF OF HIS WIFE NAMITA DAS)

2:SMTI. SANGAMITRA OJAH
W/O SRI ARNABJAN DAS
RESIDENT OF BONDA
GUWAHATI
P.O. BONDA
P.S. NOONMATI
DISTRICT KAMRUP
ASSAM
PIN 781026 (OWNER)

3:SRI ARNABJAN DAS
S/O SRI BINAY DAS
RESIDENT OF VILLAGE PASCHIM PALANGDIHATI
P.O. AND P.S. BARPETA
DISTRICT BARPETA
ASSAM
PIN 781301 (DRIVER)

Advocate for the Petitioner : MS. R D MOZUMDAR, MS. C MOZUMDAR,MR. S P SHARMA

Advocate for the Respondent : MR. M RAHMAN, MR. D GOGOI (R-2,3)

**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 27.03.2019 passed by the learned Member, Motor Accident Claims Tribunal, Barpeta (for short MACT, Barpeta) in MAC Case No. 165/2017 whereby an amount of Rs. 8,44,650/- was directed to be paid by the Insurance Company to the claimant.

It has been informed to this Court that the claim petition has been instituted on behalf of the wife of the claimant who is said to be permanently disabled.

Shri PD Bhutia, Regional Manager; Shri Debajit Sarkar, Assistant Manager of the Insurance Company and the claimant-Shri Dharmeswar Das along with his learned counsel, Shri M Rahman are present today i.e., 14.09.2024 in the National Lok Adalat.

The parties present before this Court jointly submit that the matter has been settled between the parties and a lump sum amount of Rs.7,60,000/- as full and final settlement has been agreed upon.

In view of the above, the appeal stands closed with a direction that the Insurance Company shall deposit the amount of Rs.7,60,000/- 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 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.

JUDGE

Comparing Assistant