GAHC010023322020

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

Case No. : MACApp./55/2020

FORJUL HOQUE @ FORIJUL HOQUE
S/O- LATE ABDUL HALIM, R/O- WARD NO. 12, GOALPARA TOWN, P.O., P.S. AND DIST.- GOALPARA, ASSAM- 783101.

VERSUS

NEW INDIA ASSURANCE COMPANY LIMITED AND 2 ORS
REP. BY ITS DIVISIONAL MANAGER, BONGAIGAON DIVISIONAL OFFICE, BONGAIGAON, MAIN ROAD, P.O., P.S. AND DIST.- BONGAIGAON, ASSAM- 783380. (INSURER OF THE VEHICLE NO. AS-25/CC-5992) (BUS).

2:TINKU DAS
S/O- LATE HANSHADHAR DAS
R/O- VILL.- RAMPUR
P.O. RAMPUR
P.S. PALASHBARI
DIST.- KAMRUP(R)
ASSAM- 781132. (OWNER OF THE VEHICLE NO. AS-25/CC-5992) (BUS).

3:HUSSAIN ALI
S/O- J. ALI
R/O- VILL.- JAMBARI
P.O. JAMBARI
P.S. BOKO
DIST.- KAMRUP(R)
ASSAM- 781141. (DRIVER OF THE VEHICLE NO. AS-25/CC-5992) (BUS)

Advocate for the Petitioner : MR. D DAS

Advocate for the Respondent : MRS. B ACHARYA

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

Date : 12-12-2020

This is an appeal filed by the appellant-claimant against the judgment and award dated 31.10.2019 passed by the Motor Accident Claims Tribunal, Goalpara (for short MACT, Goalpara) in MAC Case No.251/2018 praying for enhancement of the award of Rs.1,85,130/-, as compensation, for the injuries sustained by Shri Forjul Hoque @ Forijul Hoque-claimant at the time of travelling in a bus.

Shri AK Barman, Regional Manager, New India Assurance Company Ltd. (Insurance Company) as well as Shri Forjul Hoque @ Forijul Hoque are present today i.e., 12.12.2020 in the National Lok Adalat.

The parties present before this Court jointly submit that the matter has been settled outside the Court and an additional amount Rs.1,50,000/- as full and final settlement has been agreed upon over and above the awarded amount of Rs.1,85,130/-.

In view of the above, the appeal stands closed with a direction that the Insurance Company shall deposit the additional amount of Rs.1,50,000/- being the full and final settlement before the learned MACT, Goalpara within a period of 45 days from today.

The awarded amount may be withdrawn by the aforementioned claimant from the MACT, Goalpara on being duly identified by the learned counsel for the claimants.

The appeal stands disposed of.

JUDGE

Comparing Assistant