GAHC010035752018

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

Case No. : MACApp./356/2018

SMTI BIMALA KAWAR
W/O LATE MOHAN KAWAR ,
MOTHER OF LATE BISHNU KAWER ,
R/O VILL. MAILA ALI
P.O. SIRAJULI ,P.S. DHEKIAJULI,
DIST. SONITPUR (ASSAM)
PIN. 784117.

VERSUS

BABUL DAS AND 2 ORS
S/O LATE BIMAL DAS ,
R/O VILL. SINGRIMARI BANGALI GAON,
P.O. KACHARISON, P.S. DHEKIAJULI ,
DIST. SONITPUR ,ASSAM.
PIN CODE 781118
(OWNER OF THWE VEHICLE NO. AS-12 E 8801(407 TRUCK)

2:SRI BHAJAN DAS
S/O . SRI JEEBON DAS

R/O VILL. SINGRIMARI BANGALI GAON

P.O. KACHARISON
P.S. DHEKIAJULI

DIST. SONITPUR
ASSAM.
PIN CODE 781118
(OWNER OF THE VEHICLE NO. AS-12 E 8801(407 TRUCK)

3:THE BRANCH MANAGER UNITED INDIA INSURANCE COMPANY

LIMITED
MAIN ROAD
DHAKIAJULI

P.O. AND P.S. DHEKIAJULI

PIN. 784110
DIST. SONITPUR
ASSAM .
TO BE SERVED THROUGH

THE BRANCH MANAGER
UNITED INDIA INSURANCE COMPANY LIMITED
TEZPUR BRANCH OFFICE P.O.AND P.S. TEZPUR DIST. SONITPUR
ASSAM PIN. 78411

Advocate for the Petitioner : MR. S C BISWAS

Advocate for the Respondent : MR D J HALOI (R1)

BEFORE
HONOURABLE MR. JUSTICE HITESH KUMAR SARMA

ORDER

Date : 12-12-2020

The appellant is personally present.

Mr. N.R. Bala, Regional Manager, Mr. G.C. Dey, Manager, Mr. N Touthang, Deputy Manager and Mr. A. Das, Admn. Officer of the United India Insurance Company are present.

The appellant No. 1 represents the other claimants-respondents. However, it is noted that the appellant is the original claimant No. 1. Whatever it may be, the appellant/claimant No. 1 has stated before this Lok Adalat that she is authorised to settle the matter in this Lok Adalat by the other original claimants also and they would come and sign the settlement document whenever asked for.

A settlement has been arrived at between the Insurance Company and the claimant-respondents at Rs.6,50,000/- (Rupees Six Lakhs Fifty Thousand only) inclusive of all interest.

Accordingly, the Insurance Company shall deposit the settled amount of Rs.6,50,000/- by way of cheque with the Registry of this Court, within 45 days from today, subject to receipt of a copy of this order.

Thereafter, the Registry shall release the amount in favour of the original claimants in equal share. However, after ascertaining that if any of the original claimants still remains minor in that event, the amount shall be deposited in the scheduled Bank until they attain majority. So far the original claimants are concerned, 50% of the aforesaid amount entitled by each of them shall be fixed deposited in any scheduled Bank for two years and the remaining 50% shall be released in their favour.

It is made clear that if the settled amount is not deposited within 45 days from today, on expiry of 45th day, it will carry an interest at the rate of 7% p.a.

All the original claimants shall sign the settlement document. Disbursement of the amount is subject to signing of the settlement document by all the original claimants.

The MAC Appeal stands closed in terms of amicable settlement reached between the parties.

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

JUDGE

Comparing Assistant