GAHC010101082019

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

Case No. : MACApp./363/2019

UNITED INDIA INSURANCE COMPANY LTD.,
HAVING ITS REGISTERED OFFICE AND HEAD OFFICE AT 24, WHITES ROAD, CHENNAI AND ITS REGIONAL OFFICE AT G.S. ROAD, DISPUR, GUWAHATI.

VERSUS

RAJYA BALA DAS @ RAJYA ROY AND 5 ORS.
(MOTHER OF BHASKAR ROY).

2:SHUKRACHARYA DAS @ SURKA ROY @ RAY
(FATHER OF BHASKAR ROY).

3:BHRIGU ROY (MINOR BORTHER)
(MINOR BROTHER OF BHASKAR ROY).

4:NABA ROY (MINOR BROTHER)
(MINOR BROTHER OF BHASKAR ROY)
ALL ARE RESIDENT OF VILL.- PACHIM HOKARTUP
P.S. PATACHARKUCHI, DIST.- BARPETA
ASSAM, PIN- 781307.

5:MR. SHYAMAL KUMAR GUPTA
S/O- LATE SANTOSH KUMAR GUPTA
C/O- KAJOL GUPTA, R/O- PANDU PORT ROAD
H/NO. 7, WARD NO. 2, MALIGAON, PIN- 781011
DIST.- KAMRUP(M)
ASSAM. (OWNER OF VEHICLE BEARING REGISTRATION NO. AS-01-DC-3099 (TRUCK).

6:APURBA ROY
S/O- PRATAP ROY
VILL.- SATRABARALA
P.O. AND P.S. SARTHEBARI
DIST.- BARPETA, ASSAM

PIN- 781307. (DRIVER OF VEHICLE BEARING REGISTRATION NO. AS-01-DC-3099 (TRUCK)

Advocate for the Petitioner : MR. R GOSWAMI
Advocate for the Respondent : MR. J K DAS

BEFORE
HONOURABLE MR. JUSTICE HITESH KUMAR SARMA

ORDER

Date : 12-12-2020

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 respondent Nos. 1 and 2 are personally present.

Since the respondent Nos. 3 and 4 are minors, they are represented by the respondent Nos. 1 and 2.

The matter has been settled between the Insurance Company and the claimants at Rs.8,50,000/- (Rupees Eight Lakhs Fifty Thousand only).

Accordingly, the Insurance Company shall deposit the settled amount of Rs.8,50,000/- (Rupees Eight Lakhs Fifty Thousand only) with the Registry of this Court, within 45 days from today, subject to receipt of a copy of this order.

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 interest at the rate of 7% p.a.

Out of the settled amount of Rs.8,50,000/-, for the minor sons, i.e., respondent Nos. 3 and 4, Rs.4,50,000/-, in equal proportion, i.e., Rs.2,25000/- each be fixed deposited in any scheduled Bank for a period of 5 years and the remaining amount of Rs.4,00,000/- shall be fixed deposited in any scheduled Bank, in equal proportion, against the name of the respondent Nos. 1 and 2 for two years.

The respondent Nos. 1 and 2 shall approach the Registry for release of the amount and they will represent the respondent Nos. 3 and 4 (minors).

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