GAHC010137802018

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

**Case No. : MACApp. 715/2018**

1:SMTI HIMANI BAISHYA AND ANR
W/O LATE BALINDRA BAISHYA
R/O VILLAGE BARMANPARA, WARD NO 8, PS BARPETA ROAD, DISTRICT BARPETA, ASSAM, 781301

2: MISS BANTI BARDALIO
D/O LATE BALINDRA BAISHYA
R/O VILLAGE BARMANPARA
WARD NO 8
PS BARPETA ROAD
DISTRICT BARPETA
ASSAM
78130

VERSUS

1:SRI SUJIT GHOSH AND 2 ORS
S/O LATE DHIRENDRA NATH GHOSH
R/O VILLAGE BADHAGHAT, GHOSHPARA, PS BERHAMPUR, DIST MURSHIDABAD, WEST BENGAL
OWNER OF THE TRUCK BEARING REGISTRATION NO WB-25/B-6156

2:SRI DIPAK GHOSH
S/O SRI ALONATH GHOSH
R/O VILLAGE RUKUMPUR
PS HARIHARPUR
DIST MURSHIDABAD
WEST BENGAL

DRIVER OF THE TRUCK BEARING REGISTRATION NO WB-25/B-6156

3:THE DIVISIONAL MANAGER
NEW INDIA ASSURANCE CO. LTD. BONGAIGAON DIVISIONAL OFFICE
PO

PS AND DIST BONGAIGAON
ASSAM
INSURER OF THE TRUCK BEARING REGISTRATION NO WB-25/B-615

**Advocate for the Petitioner** : DR. B U AHMED

**Advocate for the Respondent** : MR. R GOSWAMI (R3)

**BEFORE**
**HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

**ORDER**

**Date : 08-02-2020**

Heard Dr. Jitendra Gupta, Regional Manager, for the New India National Assurance Company Limited.

The claimant, namely, Smti. Himani Baishya who is the petitioner and the wife of the deceased and legal heirs of Late Balindra Baihya.

This is an appeal preferred by the claimants who are the wife and daughter respectively of the deceased against the award of Rs.61,500/- made by the learned Member, Motor Accident Claims Tribunal, Barpeta in MAC Case No. 299/2015. The appeal has been preferred for enhancement of the award.

The matter is settled between the parties at an amount of Rs.1,50,000/- (Rupees One Lakh Fifty Thousand Only). Accordingly, the Assurance Company is directed to pay an amount of Rs.1,50,000/- (Rupees One Lakh Fifty Thousand Only) within a period of 2(two) months from the date of receipt of the bank details which is submitted by the claimant.

Claimant is permitted to furnish the bank details within 10(ten) days from the date of the order.

The Appeal is disposed of.

Send back the LCR.

**JUDGE**

**Comparing Assistant**