

GAHC010005472022



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

Case No. : MACApp./180/2023

NEW INDIA ASSURANCE CO. LTD.

HAVING ITS REGISTERED AND HEAD OFFICE AT NEW INDIA ASSURANCE BUILDING, 87, MAHATMA GANDHI ROAD, FORT, MUMBAI, 400001 AND REGIONAL OFFICE AT GS ROAD, GUWAHATI 5, REPRESENTED BY THE CHIEF REGIONAL MANAGER.

VERSUS

TULI GOHAIN AND 2 ORS.

M/O LATE LT. BHUBAN @ BHASKAR GOHAIN, RESIDENT OF VILLAGE LAIPULI DIMARUGURI, PS TINSUKIA, PO PANITOLA, DIST TINSUKIA, TEMPORARILY RESIDING AT SWARAL NAGAR, SARU MATARIA, GUWAHATI KAMRUP ASSAM.

2:SHRI SHOURABH DUTTA
S/O LATE AJIT DUTTA

RESIDENT OF LAIPULI KAPTAN CHUK

P.O LAIPULI
PS TINSUKIA
DIST TINSUKIA
ASSAM

3:SRI RANJAN GOGOI
S/O LATE BOLIN GOGOI

RESIDENT OF MERALI POTHAR
PO CHABUA
PS CHABUA
DIST DIBRUGARH ASSA

Advocate for the Petitioner : MR SISHIR DUTTA

Advocate for the Respondent : MR D MONDAL (R-1)

Linked Case : I.A.(Civil)/981/2022

NEW INDIA ASSURANCE CO. LTD.
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MAHATMA GANDHI ROAD
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MUMBAI
400001 AND REGIONAL OFFICE AT GS ROAD
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PS CHABUA
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Advocate for : MR SISHIR DUTTA
Advocate for : appearing for TULI GOHAIN AND 2 ORS.

Linked Case : I.A.(Civil)/486/2024

TULI GOHAIN AND 2 ORS.
M/O LATE LT. BHUBAN @ BHASKAR GOHAIN
RESIDENT OF VILLAGE LAIPULI DIMARUGURI
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PO PANITOLA
DIST TINSUKIA
TEMPORARILY RESIDING AT SWARAL NAGAR
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GUWAHATI 5
REPRESENTED BY THE CHIEF REGIONAL MANAGER.

Advocate for : MR D MONDAL
Advocate for : MR. S DUTTA appearing for NEW INDIA ASSURANCE CO. LTD.

Linked Case : I.A.(Civil)/1214/2023

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Advocate for : MR SISHIR DUTTA
Advocate for : appearing for TULI GOHAIN AND 2 ORS.

**BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR**

Name of the conciliators:

1. Ms. Chandana Patowary
2. Ms. Gita Kakati Das

(O R D E R)

Date : 11.05.2024

The case is put up before the National Lok Adalat.

The matter is amicably settled between the parties.

The appellant New India Assurance Company Limited, represented by Mr. Suman Das, Assistant Manager; and Smt. Tuli Gohain, claimant, herein, are present before the Court today. The claimant is represented by Mr. D. Mondal, learned counsel.

It is submitted by both the claimant and the Insurance Company's representatives that this matter is settled between the parties at an amount of Rs. 13,08,006/- inclusive of all components as a full and final settlement of their claim.

The Insurance company will deposit the amount of Rs. 13,08,006/- within a period of 45 days from today before the Registry of the Gauhati High Court. Failure to deposit the above-mentioned amount within the stipulated time by the New India Assurance Company Limited, the above amount would carry an interest at the rate of 7% from the date of filing of the claim petition before the learned Tribunal.

From the total deposited amount of Rs. 13,08,006/-; an amount of Rs. 7,00,000/- shall be released to the claimant, herein, and shall be kept in a fixed deposit account in her name having a Monthly Income Scheme(MIS) before a nationalized Bank at least for a period of 3 years. The balance amount shall be released to the claimant by the Registry upon furnishing of adequate documents for her identification as well as particulars of her Bank account.

Statutory deposit, if any, made by the Insurance Company being not a part of the amount so settled today; the same may be released to the Insurance Company on an application made by it in this connection.

The appeal accordingly stands disposed of in terms of the amicable settlement reached between the parties.

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

LCRs, if any, be remitted to the concerned Tribunal.

JUDGE

Comparing Assistant