

GAHC010020322024



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

Case No. : I.A.(Civil)/296/2024

THE ORIENTAL INSURANCE CO. LTD.
A COMPANY REGISTERED UNDER THE COMPANIES ACT, 1956, REP. BY ITS
REGIONAL MANAGER, ULUBARI, GUWAHATI- 7, DIST.- KAMRUP(M),
ASSAM.

VERSUS

RUBINA BEGUM AND 7 ORS.
W/O LATE RAJIB AHMED @ RAJIBUDDIN,
R/O BARBALI WARD NO. 2, P.S.- MURAJHAR, HOJAI, ASSAM.

2:NAZIFA KHATUN
D/O LATE RAJIB AHMED @ RAJIBUDDIN
R/O BARBALI WARD NO. 2
P.S.- MURAJHAR
HOJAI
ASSAM.
(BEING MINOR
REP. BY HER MOTHER RESPONDENT NO.1).

3:HASBANA BEGUM
D/O LATE RAJIB AHMED @ RAJIBUDDIN
R/O BARBALI WARD NO. 2
P.S.- MURAJHAR
HOJAI
ASSAM.
(BEING MINOR
REP. BY HER MOTHER RESPONDENT NO.1).

4:MUST SALEHA BEGUM
M/O LATE RAJIB AHMED @ RAJIBUDDIN

R/O BARBALI WARD NO. 2
P.S.- MURAJHAR
HOJAI
ASSAM.

5:SANJIB KALITA
S/O BHABAN CHANDRA KALITA
R.K.B. ROAD
CHRISTIAN PATTY
P.S.- SADAR
NAGAON
ASSAM.

6:MD. INAS ABDUL
S/O MD. ABDUL KUDDUS
KARAIGURI
P.S.- MURAJHAR
HOJAI
ASSAM.

7:KANCHAN JHA
W/O RAM KUMAR JHA
NST COLONY
KOHIMA
NAGALAND.

8:SANTOSH KUMAR SINGH
S/O SRI AMARENDRA PRASAD SINGH
WARD NO. 3
P.O.- ATAPUR
P.S.- HADSANPUR
SAMASTIPUR
BIHAR

Advocate for the Petitioner : MR. S K GOSWAMI
Advocate for the Respondent : MR. S SINGH

Linked Case :

THE ORIENTAL INSURANCE CO. LTD
VERSUS

RUBINA BEGUM AND 7 ORS F

Advocate for : MR. S K GOSWAMI
Advocate for : appearing for RUBINA BEGUM AND 7 ORS F

Linked Case :

THE ORIENTAL INSURANCE CO. LTD

VERSUS

RUBINA BEGUM AND 7 ORS F

Advocate for : MR. S K GOSWAMI

Advocate for : appearing for RUBINA BEGUM AND 7 ORS F

**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 applicant Oriental Insurance Company Limited, represented by Mr. Sudip Bandyopadhyaya, Regional Manager and Mr. T. P. Meetei, Manager, as well as Smt. Rubina Begum/Claimant No. 1 and Musstt. Saleha Begum/Claimant No. 4, are present before the Court today. The Claimants No. 1 & 4 are represented by Mr. S. Singh, learned counsel.

It is submitted by both the Claimants No. 1 & 4 and the Insurance Company's representatives that this matter is settled between the parties at an amount of Rs. 22,00,000/- inclusive of all components. This amount will be received by the claimant No. 1 and by the Claimant No. 4, as well as the Claimants No. 2 & 3, who are stated to be minor and did not come to the Court today, as a full and final settlement of their claim.

The Insurance company will deposit the amount of Rs. 22,00,000/- 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 Oriental Insurance 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.

Out of the settled amount of Rs. 22,00,000/-; an amount of Rs. 5,00,000/-, each, shall be released to the Claimant No. 2 (Ms. Nazifa Khatun) and Claimant No. 3 (Ms. Hasbana Begum) respectively, and would be kept in a fixed deposit account for a period of 5 years or the date of reaching their age of majority, whichever is later.

Out of the balance amount of Rs. 12,00,000/-, an amount of Rs. 5,00,000/- shall be released to claimant No. 4 (Musstt. Saleha Begum), and the remaining amount of Rs. 7,00,000/- shall be released to the Claimant No. 1, namely, Smt. Rubina Begum.

All the claimants have to furnish necessary documents for their identification as well as the particulars of their respective Bank accounts.

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 instant interlocutory application 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