

GAHC010002452016



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

Case No. : MACApp./141/2021

SMTI GEETANJALI DEKA and 2 ORS
W/O LATE HARE KRISHNA DEKA
R/O VILLAGE BAMUNKUCHI, PATHSALA, DIST BARPETA , ASSAM

2: MRIGEN DEKA

S/O LATE HARE KRISHNA DEKA

3: SMTI ARCHANA DEKA

D/O LATE HARE KRISHNA DEKA
ALL R/OVILL. BAMUNKUCHI
PATHSALA
DIST. BARPETA
ASSAM

VERSUS

RELIANCE GENERAL INSURANCE CO. LTD and 2 ORS
GUWAHATI BRANCH, G.S. ROAD, AIL PLAZA, GUWAHATI-781005
REPRESENTED BY ITS BRANCH MANAGER

2:SIBEN PATOWARY

S/O SRI A. PATOWARY
R/O VILL. SANDHELI
P.S. BELSOR
DIST. NALBARI
ASSAM
PIN 794104

3:RANA DAS

S/O SRI BROJENDRA DAS

R/O WARD NO. 3
RANGIA
P.S. RANGIA
DIST. KAMRUP R
ASSAM
PIN 79410

Advocate for the Petitioner : MR D MONDAL,

Advocate for the Respondent : MR J JOHN, MR. S KHAN (R2,R3),MS.L SHARMA(R-1),MR.K K BHATTA(R-1),MR.A TALUKDAR(R-1)

Linked Case : MACApp./142/2021

THE RELIANCE GENERAL INSURANCE CO LTD
HAVING ITS REGISTERED OFFICE AT 19
RELIANCE CENTRE
WALCHAD HIRACHAND MARG
BALLARD ESTATE
MUMBAI 400001 AND CORPORATE OFFICE AT 570
RECTIFIER HOUSE
NAGAUM CROSS
NEXT TO ROYAL INDUSTRIES ESTATE
WADALA W
MUMBAI 400031 AND ONE OF THE BRANCH OFFICE AT ANIL PLAZA
5TH FLOOR G.S. ROAD
BHANGAGARH
GUWAHATI 781005

2: CHANDANA DAS
W/O SRI TAPAN DAS
D/O LT. TAPASH ROY BURMAN
R/O W/NO.10
GUPINAGAR
P.O. NORTH LAKHIMPUR
P.S.
DIST- LAKHIMPUR
ASSAM

3: RANJANA ROY BURMAN
D/O LT. TAPASH ROY BURMAN
R/O KHALIYAMARI
NEAR NERAJAN SCHOOL

DIBRUGARH
P.O.
P.S. and DIST- DIBRUGARH
ASSAM

4: SHOMA ROY BURMAN
D/O LT. TAPASH ROY BURMAN
R/O KHALIYAMARI
NEAR NERAJAN SCHOOL
DIBRUGARH
P.O.
P.S. and DIST- DIBRUGARH
ASSAM

5: RUMI ROY BURMAN
D/O LT. TAPASH ROY BURMAN
R/O KHALIYAMARI
NEAR NERAJAN SCHOOL
DIBRUGARH
P.O.
P.S. and DIST- DIBRUGARH
ASSAM
VERSUS

SMTI GITANJALI DEKA and 4 ORS
W/O LATE HAREKRISHNA DEKA
R/O VILL. BAMUKUCHI
P.O. PATHSALA
P.S. PATACHARKUCHI
DIST. BARPETA
ASSAM
PIN 781326

2:MRIGEN DEKA
S/O LATE HAREKRISHNA DEKA

3:ARCHANA DEKA
D/O LATE HAREKRISHNA DEKA

RESPONDENT NO 1 WILL REPRESENT RESPONDENTS NO 2 AND 3 THEY
BEING MINOR.

4:SHRI SIBEN PATOWARY
S/O AKON PATOWARY
RESIDENT OF VILLAGE AND P/O SANDHELI P/S BELSOR
NALBARI 787035 ASSAM
RESPONDENT / OWNER OF THE VEHICLE OF VEHICLE NO AS-14/C-3155

5:RANA DAS
S/O SHRI BROJENDRA DAS
RESIDENT OF WARD NO 3 RANGIA

P/S RANGIA DIST KAMRUP ASSAM
PIN 781354

RESPONDENT / DRIVER OF THE VEHICLE OF VEHICLE NO AS-14/C-3155

Advocate for : MR. A J SAIKIA

Advocate for : MR. A J SAIKIA appearing for SMTI GITANJALI DEKA and 4 ORS

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA

ORDER

14.12.2024

(K.R. Surana, J)

Md. Menhaz Ahmed Barbhuiya, Senior General Manager of Reliance General Insurance Co. Ltd. is present. Smt. Geetanjali Deka along with Sri. Mrigen Deka and Smt. Archana Deka, the respondent nos.1, 2 and 3/claimants are present.

2. The parties have submitted that the awarded amount by the learned Member, Motor Accident Claims Tribunal No.III, Kamrup(M), Guwahati in MAC Case No.1773/2011 was Rs.15,96,959/- (Rupees fifteen lakh ninety six thousand nine hundred fifty nine only), out of which a sum of Rs.7,98,479/- (Rupees seven lakh ninety eight thousand four hundred seventy nine only) as full and final settlement of all the claims of the respondent nos.1, 2 and 3/claimants is already been paid and is stated to be withdrawn by the respondent nos.1, 2 and

3/claimants.

3. The parties have agreed that the amount mentioned in full and final settlement of all the claims of the respondent nos.1, 2 and 3/claimants in MacApp.141/2024 and MacApp.142/2024.

4. Accordingly, the matter is settled on compromise in terms of the pre-settlement/compromise slip for the National Lok Adalat, which is made as a part of record.

5. Both the parties shall put their signature in the pre-settlement compromise slip as token of acceptance for the settlement.

6. Further sum of Rs.21,00,000/- (Rupees twenty one lakh only) shall be paid by the Reliance General Insurance Co. Ltd. in addition to Rs.7,98,479/- (Rupees seven lakh ninety eight thousand four hundred seventy nine only) already deposited.

7. Accordingly, the total settlement amount would be Rs.28,98,479/- (Rupees twenty eight lakh ninety eight thousand four hundred seventy nine only).

8. The Reliance General Insurance Co. Ltd shall deposit a sum of Rs.21,00,000/- (Rupees twenty one lakh only) in favour of the respondent nos.1, 2 and 3/claimants before the Registry of the Court within 30 (thirty) days from the date of the settlement order, failing which the amount shall carry interest @ 9% per annum till the date of deposit.

9. On such deposit being made, the Registry of the Court shall convert a sum of Rs.2,00,000/- (Rupees two lakh only) in a fixed deposit account of any

Nationalized Bank for 3 (three) years in the name of Smt. Gitanjali Deka and the balance amount shall be disbursed to the respondent no.1 on satisfaction of her identity.

10. On furnishing proof of the deposit of the entire settlement amount, the Registry shall release the statutory deposit in connection MacApp.142/2024 made by the appellant.

11. The matter is disposed of in this Lok Adalat.

JUDGE

Comparing Assistant