

GAHC010018042024



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

Case No. : MACApp./50/2024

NEW INDIA ASSURANCE COMPANY LIMITED
(A CENTRAL GOVT. UNDERTAKING) HAVING ITS REGIONAL OFFICE AT
GUWAHATI, STARCITY COMPLEX, G.S. ROAD, LACHITNAGAR,
GUWAHATI- 781007, REP. BY THE MANAGER, GAUHATI REGIONAL
OFFICE, LACHITNAGAR, GUWAHATI- 781007.

VERSUS

RAMBHA BARUAH AND 8 ORS.
W/O LATE PRAKASH BARUAH,
VILL.- JERAI GAON, P.O.- PANITULA, P.S.- CHABUA, DIST.- TINSUKIA,
ASSAM, PIN- 786183.

2:NAYANA BARUAH
(REP. BY RESPONDENT NO. 1)
D/O LATE PRAKASH BARUAH
VILL.- JERAI GAON
P.O.- PANITULA
P.S.- CHABUA
DIST.- TINSUKIA
ASSAM
PIN- 786183.

3:MASTER ISHAN BARUAH
(REP. BY RESPONDENT NO. 1)
S/O LATE PRAKASH BARUAH
VILL.- JERAI GAON
P.O.- PANITULA
P.S.- CHABUA
DIST.- TINSUKIA
ASSAM
PIN- 786183.

4:RATNESWAR BARUAH
S/O LATE KANDAK AHOM
VILL.- JERAI GAON
P.O.- PANITULA
P.S.- CHABUA
DIST.- TINSUKIA
ASSAM
PIN- 786183.

5:DURBALATA BARUAH
W/O SRI RATNESWAR BARUAH
VILL.- JERAI GAON
P.O.- PANITULA
P.S.- CHABUA
DIST.- TINSUKIA
ASSAM
PIN- 786183.

6:HABIJUR RAHMAN
S/O MD. KALURTULA
VILL.- BORHAPJAN
P.O.- BORHAPJAN
P.S.- DOOMDOOMA
DIST.- TINSUKIA
ASSAM
786190.

7:SANJAY KISHAN
S/O SRI MOHANLAL KISHAN
R/O DHELAKHAT T.E.
P.O. AND P.S.- TINSUKIA
ASSAM
PIN- 786147.

8:THE ADMINISTRATOR
SHIKSHA THE GURUKUL
N.H. 37
CHOTAHAPJAN
P.O.- BORHAPJAN
P.S.- DOOMDOOMA
DIST.- TINSUKIA
ASSAM
PIN- 786190.

9:NIREN TANTI
S/O SRI LIMSIN TANTI
R/O RUPAI DON BOSCO
P.O.- RUPAI SIDING

P.S.- DOOMDOOMA
DIST.- TINSUKIA
ASSAM
PIN- 786153

Advocate for the Petitioner : MS. R D MOZUMDAR
Advocate for the Respondent : MS B SARMA(R-1 & 2)

Linked Case : I.A.(Civil)/306/2024

NEW INDIA ASSURANCE COMPANY LIMITED
(A CENTRAL GOVT. UNDERTAKING) HAVING ITS REGIONAL OFFICE AT
GUWAHATI
STARCITY COMPLEX
G.S. ROAD
LACHITNAGAR
GUWAHATI- 781007
REP. BY THE MANAGER
GAUHATI REGIONAL OFFICE
LACHITNAGAR
GUWAHATI- 781007.

VERSUS

RAMBHA BARUAH AND 8 ORS.
W/O LATE PRAKASH BARUAH
VILL.- JERAI GAON
P.O.- PANITULA
P.S.- CHABUA
DIST.- TINSUKIA
ASSAM
PIN- 786183.

2:NAYANA BARUAH
(REP. BY RESPONDENT NO. 1)
D/O LATE PRAKASH BARUAH
VILL.- JERAI GAON
P.O.- PANITULA
P.S.- CHABUA
DIST.- TINSUKIA
ASSAM
PIN- 786183.

3:MASTER ISHAN BARUAH
(REP. BY RESPONDENT NO. 1)
S/O LATE PRAKASH BARUAH

VILL.- JERAI GAON
P.O.- PANITULA
P.S.- CHABUA
DIST.- TINSUKIA
ASSAM
PIN- 786183.

4:RATNESWAR BARUAH
S/O LATE KANDAK AHOM
VILL.- JERAI GAON
P.O.- PANITULA
P.S.- CHABUA
DIST.- TINSUKIA
ASSAM
PIN- 786183.

5:DURBALATA BARUAH
W/O SRI RATNESWAR BARUAH
VILL.- JERAI GAON
P.O.- PANITULA
P.S.- CHABUA
DIST.- TINSUKIA
ASSAM
PIN- 786183.

6:HABIJUR RAHMAN
S/O MD. KALURTULA
VILL.- BORHAPJAN
P.O.- BORHAPJAN
P.S.- DOOMDOOMA
DIST.- TINSUKIA
ASSAM
786190.

7:SANJAY KISHAN
S/O SRI MOHANLAL KISHAN
R/O DHELAKHAT T.E.
P.O. AND P.S.- TINSUKIA
ASSAM
PIN- 786147.

8:THE ADMINISTRATOR
SHIKSHA THE GURUKUL
N.H. 37
CHOTAHAPJAN
P.O.- BORHAPJAN
P.S.- DOOMDOOMA
DIST.- TINSUKIA

ASSAM
PIN- 786190.

9:NIREN TANTI
S/O SRI LIMSIN TANTI
R/O RUPAI DON BOSCO
P.O.- RUPAI SIDING
P.S.- DOOMDOOMA
DIST.- TINSUKIA
ASSAM
PIN- 786153.

Advocate for : MS. R D MOZUMDAR
Advocate for : appearing for RAMBHA BARUAH AND 8 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; Smt. Rambha Baruah and Ms. Nayana Baruah, claimants, herein, are present before the Court today. They are represented by Mr. A. K. Gupta, learned counsel.

It is submitted by both the claimant and the Insurance Company's representative

that this matter is settled between the parties at an amount of Rs. 20,23,456/- inclusive of all components. It is stated that an amount of Rs. 5,71,908/- inclusive of interest, has already been deposited by the Insurance Company before the Registry of this Court but the same has not been withdrawn by any of the claimants. Accordingly, the balance amount of Rs. 14,51,548/- would now be paid by the Insurance company and this amount will be received by the claimants as a full and final settlement of their claim.

The Insurance company will deposit the amount of Rs. 14,51,548/- 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. 20,23,456/-; an amount of Rs. 2,00,000/- shall be released to Smti. Durbalata Baruah/Claimant No. 5; an amount of Rs. 5,00,000, each, shall be released to the Claimants No. 2 & 3, respectively and shall be kept in fixed deposit accounts in their names before a nationalized Bank for a period of 3 and 7 years respectively. The balance amount shall be released to the Claimant No. 1, by the Registry upon furnishing of adequate documents for their identification as well as 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 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