

GAHC010024312017



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

Case No. : MACApp./230/2017

THE ORIENTAL INSURANCE COMPANY LIMITED
A CENTRAL GOVT. UNDERTAKING, HAVING ITS REGIONAL OFFICE AT
GUWAHATI, G.S.ROAD, ULUBARI, GUWAHATI REPRESENTED BY THE
REGIONAL MANAGER, GAUHATI REGIONAL OFFICE, ULUBARI,
GUWAHATI 781005

VERSUS

MR WAZIDUL HAQUE and 4 ORS
S/O MD. ABDUL HOQUE

2:MR. SAHIDUL HAQUE S/O MD. ABDUL HOQUE
BOTH ARE R/O HOUSE NO. 26
SANTI PATH DARANDHA
SIX MILE GUWAHATI
DIST. KAMRUP ASSAM PIN 781037

3:BIJOY BORA S/O LATE TARUN BORA
HOUSE NO. 1 SAMANYA PATH
NARENGI GUWAHATI DIST. KAMRUP ASSAM PIN 781026

4:UTPAL PATHAK S/O UDAY PATHAK
MEDHIPARA P.S. and P.O. NAGARBERA
DIST. KAMRUP ASSAM PIN 781127

5:MD. ABDUL HOQUE HOUSE NO. 26 SANTI PATH
DARANDHA SIX MILE GUWAHATI DIST. KAMRUP ASSAM PIN 78103

Advocate for the Petitioner : MS.C MOZUMDAR
Advocate for the Respondent : MR.A BARUA R- 1and 2

**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 claimants, namely, Wazidul Haque and Sahidul Haque, are present before the Court today. They are represented by Mr. S. Singh, learned counsel.

Mr. Sudip Bandyopadhyay, Regional Manager and Mr. T. P. Meetei, Manager, appears for the Oriental Insurance Company Limited.

It is submitted by both the claimants and the Insurance Company's representatives that this matter is settled between the parties at an amount of Rs. 34,50,000/- inclusive of all components. It is stated that an amount of Rs. 19,50,000/-, inclusive of interest, has already been received by the claimants and accordingly, the balance amount of Rs. 15,49,500/- would now be paid by the Insurance company. 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. 15,49,500/- 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 amount of Rs. 15,49,500/-; an amount of Rs. 3,50,000/-, each, shall be kept as a fixed deposit in the name of the claimants, herein, before a nationalized Bank at least for a period of 3 years. The claimants, herein, will be entitled to withdraw the balance amount from the Registry upon furnishing of adequate documents for their identification and details of the Bank account numbers.

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