

GAHC010036612024



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

Case No. : MACApp./102/2024

NEW INDIA ASSURANCE COMPANY LIMITED
A PUBLIC SECTOR UNDERTAKING COMPANY REGISTERED AND
INCORPORATED UNDER THE COMPANIES ACT 1956. HAVING ITS
REGISTERED OFFICE AT 87, MG ROAD, FORT MUMBAI 400001 WITH ONE
OF ITS REGIONAL OFFICE AT STAR CITY COMPLEX, 5TH FLOOR LACHIT
NAGAR, GS ROAD, ULUBARI, GUWAHATI 781007 REPRESENTED BY ITS
REGIONAL MANAGER, GUWAHATI ASSAM

VERSUS

PUSPANJI BORAH AND ORS
W/O LATE PUTUL BORAH
RESIDENT OF VILLAGE DIFFULU PATHAR PO AND PS BOKAKHAT, DIST
GOLAGHAT, ASSAM 785612

2:SRI BIKASH JYOTI BORAH
S/O LATE PUTUL BORAH
RESIDENT OF VILLAGE DIFFULU PATHAR PO AND PS BOKAKHAT
DIST GOLAGHAT
ASSAM 785612

3:SRI SURENDRA BORAH
S/O LATE PUTUL BORAH
RESIDENT OF VILLAGE DIFFULU PATHAR PO AND PS BOKAKHAT
DIST GOLAGHAT
ASSAM 785612

4:SRI BIBHA BORAH
S/O LATE PUTUL BORAH
RESIDENT OF VILLAGE DIFFULU PATHAR PO AND PS BOKAKHAT
DIST GOLAGHAT
ASSAM 785612

5:SRI LAKHAN BORAH
S/O LATE PUTUL BORAH
RESIDENT OF VILLAGE DIFFULU PATHAR PO AND PS BOKAKHAT
DIST GOLAGHAT
ASSAM 785612

6:SMTI SIKHAMONI BORAH
D/O LATE PUTUL BORAH
RESIDENT OF VILLAGE DIFFULU PATHAR PO AND PS BOKAKHAT
DIST GOLAGHAT
ASSAM 78561

Advocate for the Petitioner : MR. R C PAUL
Advocate for the Respondent :

Linked Case : I.A.(Civil)/736/2024

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DIST GOLAGHAT
ASSAM 785612
7:SRI VARUN GUPTA
S/O SRI BHISHAM GUPTA
RESIDENT OF VILLAGE SANTI SADAN
2ND FLOOR
RKC ROAD
NEAR BADRIDAS SCHOOL
NARAYAN NAGAR
GUWAHATI PO SANTIPUR
PS BHORALUMUKH
DIST KAMRUP M ASSAM 781009
8:SRI SAITYAJIT RABHA
S/O J. RABHA

C/O SRI VARUN GUPTA

S/O SRI BHISHAM GUPTA
SANTI SADAN
2ND FLOOR
RKC ROAD
NEAR BADRIDAS SCHOOL
NARAYAN NAGAR
GUWAHATI PO SANTIPUR
PS BHORALUMUKH
DIST KAMRUP M ASSAM 781009

Advocate for : MR. R C PAUL
Advocate for : appearing for PUSPANJALI BORAH AND 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)

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. Puspanjali Borah, claimant, herein, are present before the Court today. They are represented by Ms. S. Khanikar, 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. 20,12,706/- inclusive of all components. It is stated that an amount of Rs. 8,00,000/- 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. 12,12,706/- 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. 12,12,706/- 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 20,12,706/-; an amount of Rs. 2,00,000/-, each, shall be released to the claimants No. 3, 4, 5 & 6 and shall be kept in fixed deposit accounts in their names before a nationalized Bank till they reach the age of majority; an amount of Rs. 2,00,000, shall be released to the Claimant No. 2 and shall be kept in fixed deposit account in his name before a nationalized Bank at least for a period of 3 years. The balance amount shall be released to the Claimant No. 1, by the Registry. The amounts shall be so released upon furnishing of adequate documents by the claimants for their identification and 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