

GAHC010003162017



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

**Case No. : MACApp./19/2018**

M/S NEW INDIA ASSURANCE CO. LTD.  
HAVING ITS REGISTERED OFFICE AT NEW ASSURANCE BUILDING 87  
MAHATMA GANDHI ROAD, MUBARI AND ONE OF THE REGIONAL OFFICE  
AT G.S. ROAD, BHANGAGARH, GUWAHATI, ASSAM.

VERSUS

PINKI MAZUMDAR  
VILL. NO. 1 BHETAGAON, BIJNI, P.S. BIJNI, DIST. CHIRANG (BTAD), ASSAM  
C/O SMTI PUSPAGANA BORA, VILL. GATONGA BARUA CHUBURI, P.O.  
DEKARGAON, P.S. TEZPUR

2:SNEHA MAZUMDAR  
VILL. NO. 1 BHETAGAON  
BIJNI  
P.S. BIJNI  
DIST. CHIRANG (BTAD)  
ASSAM C/O SMTI PUSPAGANA BORA  
VILL. GATONGA BARUA CHUBURI  
P.O. DEKARGAON  
P.S. TEZPUR

3:MASTER GAURAB MAZUMDAR  
VILL. NO. 1 BHETAGAON  
BIJNI  
P.S. BIJNI  
DIST. CHIRANG (BTAD)  
ASSAM C/O SMTI PUSPAGANA BORA  
VILL. GATONGA BARUA CHUBURI  
P.O. DEKARGAON  
P.S. TEZPUR

4:DIPAK BORO  
VILL. TUBUKIJHAR  
P.O. GHORAMARI  
DIST. SONITPUR  
ASSAM.

5:PARATMA SARMA  
VILL. AND P.O. KOCHUBIL  
P.S. TEZPU

**Advocate for the Petitioner** : MR. K K BHATTA

**Advocate for the Respondent** : MR. N BORAH

Linked Case : I.A.(Civil)/76/2018

M/S NEW INDIA ASSURANCE CO. LTD.  
HAVING ITS REGISTERED OFFICE AT NEW ASSURANCE BUILDING 87  
MAHATMA GANDHI ROAD  
MUBARI AND ONE OF THE REGIONAL OFFICE AT G.S. ROAD  
BHANGAGARH  
GUWAHATI  
ASSAM.

VERSUS

PINKI MAZUMDAR  
VILL. NO. 1 BHETAGAON  
BIJNI  
P.S. BIJNI  
DIST. CHIRANG (BTAD)  
ASSAM C/O SMTI PUSPAGANA BORA  
VILL. GATONGA BARUA CHUBURI  
P.O. DEKARGAON  
P.S. TEZPUR

2:SNEHA MAZUMDAR  
VILL. NO. 1 BHETAGAON  
BIJNI  
P.S. BIJNI  
DIST. CHIRANG (BTAD)  
ASSAM C/O SMTI PUSPAGANA BORA  
VILL. GATONGA BARUA CHUBURI  
P.O. DEKARGAON

P.S. TEZPUR  
3:MASTER GAURAB MAZUMDAR  
VILL. NO. 1 BHETAGAON  
BIJNI  
P.S. BIJNI  
DIST. CHIRANG (BTAD)  
ASSAM C/O SMTI PUSPAGANA BORA  
VILL. GATONGA BARUA CHUBURI  
P.O. DEKARGAON  
P.S. TEZPUR  
4:DIPAK BORO  
VILL. TUBUKIJHAR  
P.O. GHORAMARI  
DIST. SONITPUR  
ASSAM.  
5:PARATMA SARMA  
VILL. AND P.O. KOCHUBIL  
P.S. TEZPUR

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Advocate for : MR. K K BHATTA  
Advocate for : appearing for PINKI MAZUMDAR

Linked Case : I.A.(Civil)/1057/2017

M/S NEW INDIA ASSURANCE CO. LTD.  
HAVING ITS REGISTERED OFFICE AT NEW ASSURANCE BUILDING 87  
MAHATMA GANDHI ROAD  
MUMBAI AND ONE OF THE REGIONAL OFFICE AT G.S. ROAD  
BHANGAGARH  
GUWAHATI.

VERSUS

SMTI PINKI MAZUMDAR and 4 ORS

W/O LATE GOBIN MAZUMDAR  
VILL. NO. 1 BHETAGAON  
BIJNI  
P.S. BIJNI  
DIST. CHIRANG BTAD  
ASSAM C/O SMTI PUSPAGANA BORA  
VILL. GATONGA BARUA CUBURI  
P.O. DEKARGAON  
P.S. TEZPUR  
DIST. SONITPUR  
ASSAM.

2:MISS SNEHA MAZUMDAR

D/O LATE GOBIN MAZUMDAR  
VILL. NO. 1 BHETAGAON BIJNI  
P.S. BIJNI  
DIST. CHIRANG BTAD  
ASSAM C/O SMTI PUSPAGANA BORA  
VILL. GATONGA BARUA CHUBURI  
P.O. DEKARGAON  
P.S. TEZPUR  
DIST. SONITPUR  
ASSAM.

3:MASTER GAURAB MAZUMDAR

S/O LATE GOBIN MAZUMDAR  
VILL. NO. 1 BHETAGAON  
BIJNI  
P.S. BIJNI  
DIST. CHIRANG BTAD  
ASSAM C/O SMTI PUSPAGANA BORA  
VILL. GATONGA BARUA CHUBURI  
P.O. DEKARGAON  
P.S. TEZPUR  
DIST. SONTIPUR  
ASSAM.

4:DIPAK BORO

S/O SRI NABIN CH. BORO  
VILL. TUBUKIJHAR  
P.O. GHORAMARI  
DIST. SONITPUR  
ASSAM.

5:PARATMA SARMA

S/O LATE NANDALAL SARMA  
VILL. and P.O. KOCHUBIL  
P.S. TEZPUR  
DIST. SONITPUR  
ASSAM.

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Advocate for : MR.K K BHATTA

Advocate for : MR.H MAZUMDERR- 1-3 appearing for SMTI PINKI MAZUMDAR  
and 4 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.

Mr. N. Borah, learned counsel for the appellants/claimants, submits that the Claimant No. 1, namely, Smti. Pinki Mazumdar, during the pendency of this appeal, had expired and the Claimants No. 2 & 3 being minor, are represented by their maternal grandfather Sri Bimal Gogoi. The Claimants No. 2 & 3 along with their maternal grandfather, are present today.

Mr. Suman Das, Assistant Manager, appears for the New India Assurance Company Limited.

It is submitted on behalf of Claimants No. 2 & 3 and the Insurance Company's representatives that this matter is settled between the parties at an amount of Rs. 24,02,500/- inclusive of all components. It is stated that an amount of Rs. 15,52,500/-, inclusive of interest, has already been received by the Claimant No. 1, Smti. Pinki Mazumdar, during her life time and accordingly, the balance amount of Rs. 8,50,000/- would now be paid by the Insurance company. This amount will be received by the claimants No. 2 & 3 as a full and final settlement of their claim.

The Insurance company will deposit the amount of Rs. 8,50,500/- 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 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.

The said amount of Rs. 8,50,000/- shall now be released to the Claimants No. 2 & 3 in equal proportion and shall be kept in a fixed deposit account having a Monthly Income Scheme(MIS) in the name of the Claimants No. 2 & 3 before a nationalized Bank. The fixed deposit shall be so made for at least a period of 5 years in respect of Claimant No. 2(Sneha Mazumdar) and for a period of 6 years in respect of Claimant No. 3(Master Gaurab Mazumdar).

The maternal grandfather of the Claimants No. 2 & 3 would act as the Guardian for the above purpose.

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.

With the above directions and observations, the appeal stands disposed of.

LCRs, if any, be remitted to the concerned Tribunal.

**JUDGE**

**Comparing Assistant**