

GAHC010172672023



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

Case No. : MACApp./324/2023

MANOWARA KHATUN AND 3 ORS.
W/O LATE AFAZUDDIN MULLAH @ AFAZ UDDIN MOLLAH
VILL.- NIZ BAGHBOR
P.O. AND P.S.- BAGHBOR
DIST.- BARPETA
ASSAM.

2: AFRUJA PARBIN
D/O LATE AFAZUDDIN MULLAH @ AFAZ UDDIN MOLLAH
VILL.- NIZ BAGHBOR
P.O. AND P.S.- BAGHBOR
DIST.- BARPETA
ASSAM.

3: AL-MARUF MULLAH
S/O LATE AFAZUDDIN MULLAH @ AFAZ UDDIN MOLLAH
VILL.- NIZ BAGHBOR
P.O. AND P.S.- BAGHBOR
DIST.- BARPETA
ASSAM.

4: MD. HUSSAIN ALI
F/O LATE AFAZUDDIN MULLAH @ AFAZ UDDIN MOLLAH
VILL.- NIZ BAGHBOR
P.O. AND P.S.- BAGHBOR
DIST.- BARPETA
ASSAM.

VERSUS

RELIANCE GENERAL INSURANCE COMPANY LTD AND 5 ORS.
ANIL PLAZA
G.S. ROAD
BHANGAGARH

GUWAHATI- 781005
ASSAM.

2:M/S BAGHBOR YUBA KALYAN SOCIETY
REP. BY ITS PRESIDENT/ SECRETARY
VILL. AND P.O.- BAGHBOR
ASSAM
PIN- 781308.

3:MD. AKASH ALI @ AKKAS ALI
S/O MD. ABED ALI
VILL.- NIZ BAGHBOR
P.S.- BAGHBOR
DIST.- BARPETA
ASSAM- 781308.

4:NEW INDIA ASSURANCE COMPANY LTD
REGIONAL OFFICE
GUWAHATI
ULUBARI
G.S. ROAD
P.O.- GUWAHATI- 781007
DIST.- KAMRUP (M)
ASSAM.

5:DEENDAYAL SHARMA
S/O RAM NIWAS SHARMA
NEW MARKET
KABAITARY
P.O. AND PS.- JOGIGHOPA
DIST.- BONGAIGAON
ASSAM- 783330.

6:SURESH PAL
S/O R.G. PAL
VILL.- BALIJANA
P.O.- BALADMARI- 783121
DIST.- GOALPARA
ASSAM.

Advocate for : MR. A R AGARWALA
Advocate for : MR. A J SAIKIA (R1) appearing for RELIANCE GENERAL
INSURANCE COMPANY LTD AND 5 ORS.

**BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA**

ORDER

Date : 22-07-2026

[1.] Heard Mr. AR Agarwala, learned counsel for the appellants. Also heard Ms. M Chetia, learned counsel appearing for respondent No. 1 as well as Mr. S Sharma, learned counsel appearing for respondent No. 4.

[2.] On perusal of the office note, dated 21.07.2026, it appears that notice issued to respondent No. 2 has been duly received by the addressee. However, notice issued to respondent Nos. 5 & 6 has returned without service.

[3.] Learned counsel for the appellants submits that in this case, the respondent No. 1 was directed to pay the awarded amount to the appellants/claimants. However, after filing of this appeal, the matter has been amicably settled between the claimants and the respondent No. 1/Insurance Company on the condition that an additional amount of Rs.2,00,000/- shall be paid by the respondent No. 1/Insurance Company to the claimants.

[4.] Ms. M Chetia, learned counsel for the respondent No. 1 also endorses the submission made by the learned counsel for the appellants and has produced a letter dated 30.05.2026 written by Chief Regional Manager of respondent No. 1/Insurance Company, wherein it has been stated that the respondent No. 1/Insurance Company has agreed to settle the appeal by paying an additional amount of Rs.2,00,000/- in addition to what has been awarded by the Motor Accident Claims Tribunal.

[5.] Let the letter produced by the learned counsel for the respondent No. 1 be marked as "X" and placed along with the records of this case.

[6.] In terms of the settlement arrived at between the respondent No. 1/Insurance Company and the appellants, this appeal is disposed of.

[7.] The respondent No. 1/Insurance Company is directed to deposit the settled additional amount of compensation of Rs.2,00,000/, which has been agreed between the parties before the Registry of this Court within a period of 4 (four) weeks from the date of this order.

[8.] On such deposit, same shall be disbursed by the Registry to the appellant No. 1 after proper verification.

[9.] With the above observations, this appeal is accordingly disposed of.

JUDGE

Comparing Assistant