

**FORM OF ORDER SHEET.**

District :- GOALPARA

**BEFORE THE MACT TRIBUNAL AT GOALPARA**

Present :- Sri A. Hazarika,

**Member Mact, GOALPARA**

**MACT Case No.259 OF 2018**

1 Sl No.	2 Date of order	3 ORDER	4 Signature of Court	5 Office Action taken on Order with date & Signature of Pleader/Parties
	03.12.2020	<p>The case is fixed for consideration of the application of settlement and necessary orders.</p> <p>Counsels for the Claimant as well as the OP No 1 are present.</p> <p>A petition being numbered as petition NO 1357 of 2020 has been filed by applicant Parbin Sultana praying for restraint to pass any order of settlement as she is inclined to file a civil suit.</p> <p>On perusal of the records it is seen that vide order dated 21.11.2020 the Tribunal had rejected the petition of the applicant Parbin Sultana for impleadment on her having failed to prove her locus. That being so this Tribunal does not find any cogent grounds to allow the petition No 1357 of 2020. As such the same is rejected.</p> <p>Furthermore, on perusal of the records it is seen that vide the joint petition NO 5354 of 2019 the counsels for the Claimant and the OP had agreed to amicably settled between the parties at the agreed sum of Rs 5,10,000/- (Rupees five lakhs ten thousand only). The said petition has been duly signed by both the parties.</p> <p>The Claimants Sofiur Rahman and Subera Begum are also examined by this Court and they has deposed that the case has been compromised for a sum of Rs 5,10,000/- (Rupees five lakhs ten thousand only) only as full and final settlement.</p> <p>Also heard counsel for both the parties. ON the basis of the submissions made by the parties and the compromise petition and the statement of the Claimant this Court is inclined to dispose of the said case upon settlement.</p>		

  
**Member**  
**Motor Accident Claims Tribunal**  
**Goalpara**

Since both the parties have mutually settled the claim and there is evidently no coercion while reaching such settlement this Tribunal of the considered opinion that the following awards be passed

**AWARD**

This Tribunal is of the considered opinion that the Claimants Sofiur Rahman and Subera Begum are entitled for just compensation of Rs 5,10,000/- (Rupees five lakhs ten thousand only) being shares in equal proportion and that the Opp. Party Nos 1 Reliance Insurance Co Limited is directed to pay the just compensation so awarded to the claimants within two month from the date of receipt this order.

Furthermore in order to safeguard the award money and considering the fact that the Claimants Sofiur Rahman and Subera Begum will be dependent upon the just compensation awarded to them to sustain them during their lifetime, this Tribunal is of the considered opinion that out of the said equal proportioned amount of Rs 5,10,000/- (Rupees five lakhs ten thousand only) , Rs.1,25,000/- (Rupees one lakh twenty five thousand only) each shall be deposited in a nationalised bank within their locality as fixed deposited for a period of 5 years in the name of Claimants Sofiur Rahman and Subera Begum. The rest amount may be released to the Claimants Sofiur Rahman and Subera Begum upon an application being so made

Case is disposed of accordingly and upon settlement through meditation.

Copies to be furnished to the parties forthwith.

**Member  
Motor Accident Claims Tribunal  
Goalpara**

*Case closed  
Sof. Rahman  
Sub. Begum  
05/12/20*

*Case closed  
Sof. Rahman  
Sub. Begum  
5/12/20*