

Assam Schedule VII, Form No.143

HIGH COURT CIVIL FORM NO. (J) 13

FORM OF ORDER SHEET.

District :- GOALPARA

BEFORE THE MACT TRIBUNAL AT GOALPARA

Present :- Sri A. Hazarika,

Member Mact, GOALPARA

MACT Case No. 53 OF 2020

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
	14.12.2020	<p>The case is put up alongwith petition NO 1369 of 2020</p> <p>Counsels for the Claimant as well as the OP No 1 are present.</p> <p>On perusal of the records it is seen that vide the joint petition NO 1369 of 2020 the counsels for the Claimant and the OP had agreed to amicably settled between the parties at the agreed sum of Rs 7,00,000/- (Rupees seven lakhs only). The said petition has been duly signed by both the parties.</p> <p>The Claimants Alpana Patra and Hemanta Samanta are also examined by this Court and they has deposed that the case has been compromised for a sum of Rs 7,00,000/- (Rupees seven lakhs only). only as full and final settlement. They have also deposed that they were dependent on the deceased for a living. The minor son of the deceased, Sayan Samanta who is also a Claimant has also been examined and it is found that he is residing under the care of both Claimants Alpana Patra and Hemanta Samanta, who are his grandparents.</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> <p>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</p>		


Member
Motor Accident Claims Tribunal
Goaipara

MAC 53/20

AWARD

This Tribunal is of the considered opinion that the Claimants Sayan Samanta Alpana Patra and Hemanta Samanta are entitled for just compensation of Rs 7,00,000/- (Rupees seven lakhs only) and that the Opp. Party Nos 1 Oriental 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 Sayan Samanta , Alpana Patra and Hemanta Samanta 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 amount of Rs 7,00,000/- (Rupees seven lakhs only) :-

Rs.3,00,000/- (Rupees three lakhs only) shall be deposited in a nationalised bank in his locality in the name of Sayan Samanta as fixed deposite till his attaining the age of majority,

Rs.1,00,000/- (Rupees one lakh only) shall be deposited in a nationalised bank in his locality in the name of Hemanta Samanta as fixed deposite for a period of 5 years

Rs.1,00,000/- (Rupees one lakh only) shall be deposited in a nationalised bank in his locality in the name of Alpana Patra as fixed deposite for a period of 5 years

The rest amount may be released to the Alpana Patra and Hemanta Samanta in equal share 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

Received by
27/12/20