

GAHC010003712017



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

Case No. : MACApp./496/2019

THE ORIENTAL INSURANCE CO. LTD.
HAVING ITS REGISTERED OFFICE AT ASSAF ALI ROAD, NEW DELHI AND
REGIONAL OFFICE AT G.S. ROAD NEW DELHI AND REGIONAL OFFICE AT
G.S. ROAD, ULUBARI, GUWAHATI, REPRESENTED BY ITS REGIONAL
MANAGER, REGIONAL OFFICE, GUWAHATI.

VERSUS

SRI JATIN KALITA and 2 ORS
S/O LATE HANSHO RAM KALITA, REPRESENTED BY HIS WIFE SARADA
TALUKDAR, R/O VILL. ULUBARI, G.S. ROAD NEAR SBI, P.S.PALTANBAZAR,
DIST. KAMRUP M, ASSAM.

2:SRI SHIBU NATH SHARMA
S/O LATE L. SHARMA
R/O VILLAGE GOPINATH NAGAR
BIRUBARI
GUWAHATI - 16
P.S. PALTANBAZAR
DIST. - KAMRUP (M)
ASSAM

3:SRI NILAMONI MAHANTA
S/O SRI A. C. MAHANTA

OFFICE ADDRESS -
ADDL. DEPUTY COMMISSIONER OFFICE
GUWAHATI - 781001
DISTRICT - KAMRUP (M)
ASSA

Advocate for the Petitioner : MR. A DUTTA, MR SISHIR DUTTA,MS. M CHOUDHURY,MS. J

BORO,MS M DAS

Advocate for the Respondent : MR. K BHATTACHARYYA, ms k bh

**BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN**

ORDER

07.01.2026

Heard Ms. M. Choudhury, learned counsel for the appellant and Mr. K. Bhattacharjee, learned counsel for the respondent No. 1.

2. In this appeal, under Section 173 of the M.V. Act, the appellant has put to challenge the correctness or otherwise of the Judgment and Award dated 14.10.2016, passed by the learned Additional District Judge No. 3 (FTC), Kamrup (M) at Guwahati, in M.A.C. Case No. 1091/2011.

3. It is to be noted here that vide impugned Judgment and Award dated 14.10.2016, the learned Tribunal has directed the appellant to pay a sum of Rs. 3,73,078/- to the claimant as compensation along with interest @ 9% per annum from the date of filing of the claim petition, till realization.

4. Perused the memo of appeal as well as the grounds mentioned therein and also perused the Judgment and Award dated 14.10.2016.

5. Admit.

6. Let notice be issued to the respondent Nos. 2 & 3, within a week from today, by espeed post with A/D as well as by usual process and returnable in 4 weeks.

7. The Registry shall call for the record from the learned Tribunal.

8. List the matter after 4 (four) weeks.

JUDGE

Comparing Assistant