

GAHC010196572023



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

**Case No. : I.A.(Civil)/2681/2023**

MD NUR ALAM @ NUR ALAM KHAN  
S/O LATE MAZID KHAN, RESIDENT OF VILL HALIGAON, P.S. PALASHARI,  
DIST. KAMRUP, ASSAM

VERSUS

THE ORIENTAL INSURANCE CO. LTD H  
REPRESENTED BY ITS REGIONAL MANAGER, ULUBARI, GUWAHATI

**Advocate for the Petitioner : MR. A MANNAF**

**Advocate for the Respondent : MR. S K GOSWAMI**

Linked Case : MACApp./54/2018

THE ORIENTAL INSURANCE CO. LTD  
REPRESENTED BY ITS REGIONAL MANAGER  
ULUBARI  
GUWAHATI

VERSUS

MD NUR ALAM @ NUR ALAM KHAN and 2 ORS  
RESIDENT OF VILL HALIGAON  
UNDER P.S. PALASHARI

2:ACHYUT DAS  
R/O  
NOONMATI  
SECTOR NO. 2  
P/S NOONMATI  
GUWAHATI

REGN.OWNER OF VEHICLE  
NO. AS-01/AC/7173  
OF TRUCK  
3:DINESH KALITA  
R/O  
VILL CHAPANNA RANGIA  
P.S. RANGIA

D/L No. 932/NB/2000/Prof.  
VALID UPTO 25/10/2010

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Advocate for : MR. S K GOSWAMI  
Advocate for : MR. A MANNAF (R1) appearing for MD NUR ALAM @ NUR ALAM  
KHAN and 2 ORS

**BEFORE**  
**HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

**ORDER**

**27.06.2024**

Heard Shri A. Mannaf, learned counsel for the applicant –claimant, who by means of this application has prayed for release of the 50% of the award which has been deposited pursuant to the order dated 08.02.2018 of this Court in I.A. (C) No. 322 /2018. The said I.A. Civil No. 322/2018 was filed for stay of the impugned judgment and award dated 24.08.2017 of the learned MACT in connection with the appeal namely, MAC Appeal No. 54 /2018 preferred against it.

Shri Mannaf, the learned counsel has submitted that the applicant-

claimant is suffering from serious ailments and therefore funds are required.

Shri Goswami, the learned counsel for the opposite party – Insurance Company has submitted that even if the prayer for release of the amount is allowed, some stringent conditions may be imposed.

Considering the above, Registry is directed to release the deposited amount pursuant to the order dated 08.02.2018 subject to furnishing of an appropriate bond. The claimant is required to be identified by his counsel at the time of such release.

Interlocutory application accordingly stands disposed of.

**JUDGE**

**Comparing Assistant**