

GAHC010247982022



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

**Case No. : MFA/16/2023**

MD. BAKCHER ALI KHAN AND ANR.  
S/O LATE MD. BABOR ALI,  
RESIDENT OF SATGAON NOWAPARA, PS SATGAON, DIST KAMRUP M  
ASSAM,  
PERMANENTLY RESIDENT OF VILLAGE BIDHYARDABRI PART II, PS  
GOLAKGANJ, DIST DHUBRI, ASSAM

2: SONABHANU BIBI  
W/O MD. BAKCHER ALI KHAN  
RESIDENT OF SATGAON NOWAPARA  
PS SATGAON  
DIST KAMRUP M ASSAM

PERMANENTLY RESIDENT OF VILLAGE BIDHYARDABRI PART II  
PS GOLAKGANJ  
DIST DHUBRI  
ASSA

VERSUS

THE REGIONAL HEAD OFFICE OF CHOLAMANDALAM M.S. GENERAL  
INSURANCE COMPANY LTD. AND 2 ORS. F  
REPRESENTED BY THE REGIONAL MANAGER OF  
CHOLAMANDALAM M.S. GENERAL INSURANCE COMPANY LTD OFFICE  
AT 4TH FLOOR, AASTHA PLAZA, OPP. SB DEORAH COLLEGE, BORA  
SERVICE, GS ROAD, ULUBARI GUWAHATI 781007

2:SRI BIREN BARMAN  
S/O UPEN BARMAN  
RESIDENT OF VILLAGE BALAKUTI  
PS BOXIRHAT  
DIST COOCHBEHAR (WEST BENGAL) 73613

3:SRI SURJAMAL SHEIKH

S/O JOYNAL SHEIKH

RESIDENT OF VILLAGE BIDYARDABRI PART 2 NEAR HALAKURA POLICE  
OUT POST  
PO BIDYARDABRI  
PS GOLAKGANJ  
DIST DHUBRI  
ASSAM 78333

**Advocate for the Petitioner** : MR I HAQUE,

**Advocate for the Respondent** : MR. R GOSWAMI (R-1), MS. P BORTHAKUR(R-1),MS. M  
SAIKIA(R-1)

Linked Case : MFA/10/2023

CHOLAMANDALAM MS GENERAL INSURANCE COMPANY LTD.  
HAVING ITS REGISTERED OFFICE AND HEAD OFFICE AT DARE HOUSE  
2ND FLOOR  
NO. 2 N.S.C. BOSE ROAD  
CHENNAI- 600001 AND ITS BRANCH OFFICE AT AASTHA PLAZA  
4TH FLOOR  
OPPOSITE TO S.B. DEORAH COLLEGE  
G.S. ROAD  
GUWAHATI.

VERSUS

MD BAHECHER ALI KHAN AND 3 ORS.  
S/O LATE BABOR ALI

VILL.- BIDYARDABRI PART- II

P.O.- BIDHYARDABRI

P.S.- GOLAKGANJ

DIST.- DHUBRI (ASSAM)  
PIN- 783335.

2:SONABHANU BIBI  
W/O MD BAHECHER ALI KHAN

VILL.- BIDYARDABRI PART- II

P.O.- BIDHYARDABRI

P.S.- GOLAKGANJ

DIST.- DHUBRI (ASSAM)  
PIN- 783335.

3:BIREN BARMAN  
S/O UPEN BARMAN

VILL.- BALAKUTHI

P.O.- BALAKUTHI

P.S.- BOXIRHAR

DIST.- COOCH BIHAR  
WEST BENGAL  
PIN- 736131.

4:SURJAMAL SHEIKH  
S/O JOYNAL SHEIKH

VILL.- BIDHYARDABRI

P.O.- BIDHYARDABRI

P.S.- GOLAKGANJ

DIST.- DHUBRI(ASSAM)  
PIN- 783335.

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Advocate for : MS. M SAIKIA  
Advocate for : MR I HAQUE (r-1) appearing for MD BAHECHER ALI KHAN AND  
3 ORS.

Linked Case : I.A.(Civil)/291/2023

CHOLAMANDALAM MS GENERAL INSURANCE COMPANY LTD.  
HAVING ITS REGISTERED OFFICE AND HEAD OFFICE AT DARE HOUSE  
2ND FLOOR  
NO. 2 N.S.C. BOSE ROAD  
CHENNAI- 600001 AND ITS BRANCH OFFICE AT AASTHA PLAZA

4TH FLOOR  
OPPOSITE TO S.B. DEORAH COLLEGE  
G.S. ROAD  
GUWAHATI.

VERSUS

BAHECHER ALI KHAN AND 3 ORS.  
S/O LATE BABOR ALI  
VILL.- BIDYARDABRI PART- II  
P.O.- BIDHYARDABRI  
P.S.- GOLAKGANJ  
DIST.- DHUBRI (ASSAM)  
PIN- 783335.

2:SONABHANU BIBI  
W/O MD BAHECHER ALI KHAN

VILL.- BIDYARDABRI PART- II

P.O.- BIDHYARDABRI

P.S.- GOLAKGANJ

DIST.- DHUBRI (ASSAM)  
PIN- 783335.

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DIST.- COOCH BIHAR  
WEST BENGAL  
PIN- 736131.

4:SURJAMAL SHEIKH  
S/O JOYNAL SHEIKH

VILL.- BIDHYARDABRI

P.O.- BIDHYARDABRI

P.S.- GOLAKGANJ

DIST.- DHUBRI(ASSAM)  
PIN- 783335.

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Advocate for : MR. R GOSWAMI  
Advocate for : appearing for BAHECHER ALI KHAN AND 3 ORS.

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

**ORDER**

**Date : 02.04.2026**

1. Heard Mr. J. Haque, the learned counsel for the appellant. Also heard Mr. R. Goswami, the learned counsel for the respondent who prays for adjournment on the ground that he is not fully well today.
2. Considering the submissions made by the learned counsel for the respondent.
3. The prayer is allowed.
4. Let this matter be listed on 04.06.2026.

**JUDGE**

**Comparing Assistant**