

GAHC010012332026



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

Case No. : MACApp./43/2026

NATIONAL INSURANCE CO. LTD.
REGISTERED HEAD OFFICE AT 3, MIDDLETON STREET, CALCUTTA -
700071, REPRESENTED BY THE ASSISTANT MANAGER, GAUHATI
REGIONAL OFFICE, BHANGAGARH, GUWAHATI - 781005.

VERSUS

NIRMALA NAMASUDRA AND 5 ORS
W/O LATE SHRIDHAR NAMASUDRA

2:RAJIB NAMASUDRA
S/O LATE SHRIDHAR NAMASUDRA ALIAS SRIDHAR BISWAS

3:RIYA NAMASUDRA
D/O LATE SHRIDHAR NAMASUDRA

4:RANJIT BISWAS ALIAS RANJIT NAMASUDRA
S/O LATE SHRIDHAR NAMASUDRA ALIAS SRIDHAR BISWAS
ALL ARE RESIDENT OF - VILLAGE - FAKUAGRAM
P.O. - FAKUAGRAM
P.S. - RAMKRISHNA NAGAR
DISTRICT - KARIMGANJ
ASSAM. PIN -788723 OPPOSITE PARTY NO. 2 TO 4 REPRESENTED BY
OPPOSITE PARTY NO. 1.

5:SOMA CHAKRABORTY
(OWNER)
W/O BIPRAJIT CHAKRABORTY
R/O HOUSE NO. 52
WARD NO. 27
GIRISH ROAD
P.O. - TARAPUR

P.S. - SILCHAR
DISTRICT - CACHAR
ASSAM. PIN 788003

6:MD SHAIN AHMED
(DRIVER)
S/O MD. KALIM UDDIN
3 OWNER DRIVER NOTAR HANNANUL AHMED GUWAHAT BARPETA R/O
VILLAGE - UTTAR PANIGHAT
P.O. - PANIGHAT
P.S. - KARIMGANJ
DISTRICT - KARIMGANJ
ASSAM. PIN -78870

Advocate for the Petitioner : MS. R D MOZUMDAR, MR. S P SHARMA,MS. C MOZUMDAR

Advocate for the Respondent :

Linked Case : I.A.(Civil)/348/2026

NATIONAL INSURANCE COMPANY LIMITED
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DISTRICT - KARIMGANJ
ASSAM. PIN -788709

Advocate for : MS. R D MOZUMDAR
Advocate for : appearing for NIRMALA NAMASUDRA AND 5 ORS

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

11.02.2026

Learned counsel Mr. S. P. Sharma is present for the Insurance Company who is aggrieved by the judgment and award dated 27.10.2025 in connection with MAC Appeal No. 53/2021 passed by the learned Member, MACT, Sribhumi.

The Insurance Company was directed to pay the compensation despite violation of policy conditions. It is also submitted that the appellant has a good case.

The judgment and award dated 27.10.2025 in connection with MAC Appeal No. 53/2021 is stayed until further orders subject to the condition that the Insurance Company deposits 50% of the awarded amount before the Registry of this Court within 6 (six) weeks from the date of this order.

Issue notices to the respondents by usual process returnable within 4 (four) weeks.

List this matter after 4 (four) weeks.

JUDGE

Comparing Assistant