

GAHC010014952023



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

**Case No. : I.A.(Civil)/188/2023**

FAIRUN NESSA @ KAYRUNECHHA BEGUM AND 7 ORS.  
W/O LATE MOIN MIA, R/O- RAJBARI, DURGAPUR, P.S. DHARMANAGAR,  
P.O. RAJBARI, DIST. NORTH TRIPURA, PIN 799253.

2: BARIK MIA  
S/O LATE MAMU MIA  
R/O- RAJBARI  
DURGAPUR  
P.S. DHARMANAGAR  
P.O. RAJBARI  
DIST. NORTH TRIPURA  
PIN 799253.

3: NEKJAN BIBI  
W/O- BARIK MIA  
R/O- RAJBARI  
DURGAPUR  
P.S. DHARMANAGAR  
P.O. RAJBARI  
DIST. NORTH TRIPURA  
PIN 799253.

4: FAJLU MIA  
S/O.- LATE MOIN MIA  
R/O- RAJBARI  
DURGAPUR  
P.S. DHARMANAGAR  
P.O. RAJBARI  
DIST. NORTH TRIPURA  
PIN 799253.

5: HALIMA BEGUM  
D/O.- LATE MOIN MIA  
R/O- RAJBARI

DURGAPUR  
P.S. DHARMANAGAR  
P.O. RAJBARI  
DIST. NORTH TRIPURA  
PIN 799253.

6: SAINA BEGUM  
D/O.- LATE MOIN MIA  
R/O- RAJBARI  
DURGAPUR  
P.S. DHARMANAGAR  
P.O. RAJBARI  
DIST. NORTH TRIPURA  
PIN 799253.

7: HAZIRA BEGUM  
D/O.- LATE MOIN MIA  
R/O- RAJBARI  
DURGAPUR  
P.S. DHARMANAGAR  
P.O. RAJBARI  
DIST. NORTH TRIPURA  
PIN 799253.

8: FAZAR UDDIN  
S/O.- LATE MOIN MIA  
R/O- RAJBARI  
DURGAPUR  
P.S. DHARMANAGAR  
P.O. RAJBARI  
DIST. NORTH TRIPURA  
PIN 799253

VERSUS

NATIONAL INSURANCE CO. LTD.  
HAVING ITS REGISTERED AND HEAD OFFICE AT 3 MIDDLETON STREET,  
KOLKATA 700071 AND ONE OF THE REGIONAL OFFICE AT G.S. ROAD,  
BHANGAGARH, GUWAHATI 781005.

**Advocate for the Petitioner** : MR. S D PURKAYASTHA,

**Advocate for the Respondent** : MR. A J SAIKIA,

**BEFORE  
HONOURABLE MR. JUSTICE NELSON SAILO**

**ORDER**

**Date : 30.03.2026**

Heard Mr. S. D. Purkayastha, learned counsel for the applicants, who submits that by filing this application, the applicants seeks clarification of the interest payable to the applicants. Referring to the Judgment and Order dated 28.08.2019 passed by this Court in MAC Appeal No. 205 of 2014 disposing the appeal, the learned counsel submits that this Court at Paragraph No. 11 of the said judgment had clearly provided that the claimants will be entitled to a sum of Rs.4,09,505/- as compensation along with interest @ 9% per annum from the date of filing of the claim, i.e. 23.03.2010 till final payment.

He submits final payment was made on 08.08.2017 but the respondent Insurance Company has granted interest only up to 10.10.2014, which is the date on which 50% of the awarded amount was deposited before this Court as a condition for stay of the Judgment and Award of the Tribunal. He, therefore, submits that interest payable to the claimants/applicants for the remaining amount of award after deposit of the 50% of the award as a condition for stay till the final payment of the compensation on 08.08.2017 is the entitlement of the applicants and for which, this Court may pass a clarificatory order.

In view of above, issue notice returnable by two (2) weeks.

Mr. S. Pegu, learned counsel appears on behalf of Mr. A. J. Saikia, learned Standing Counsel, for the National Insurance Company. As such, no formal notice is required.

Applicants shall, however, furnish extra requisite copies of the application to Mr. S. Pegu, learned counsel for the National Insurance Company, during the course of the day.

Mr. A. J. Saikia, learned Standing Counsel, National Insurance Company, shall obtain necessary instructions, so that the matter can be disposed of on the next date fixed.

List the matter again on 23.04.2026.

**JUDGE**

**Comparing Assistant**