

GAHC010016712017



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

Case No. : MACApp./134/2017

THE DIRECTOR OF AGRICULTURE GOVT OF ASSAM
REPRESENTED HEREIN BY THE CHIEF ENGINEER, AGRICULTURE DEPTT.
ADDRESS KRISHI BHAWAN, KHANAPARA, GUWAHATI-22, DIST. KAMRUP
M, ASSAM.

VERSUS

SMTI ANIMA DAS and 3 ORS
W/O LATE SUNANDA DAS, R/O VILL. NIZ KAURBAHA, P.S. TAMULPUR,
P.O. BORGHULI, DIST. BAKSA, ASSAM 781354

2:PRANJAL DAS

S/O LATE SUNANDA DAS
R/O VILL. NIZ KAURBAHA
P.S. TAMULPUR
P.O. BORGHULI
DIST. BAKSA
ASSAM 781354

3:MD. KAMAL ALI

S/O JALILUR RAHMAN
R/O VILL NIZKUL BAHU
P.S. TAMULPUR
DIST. BAKSA
ASSAM 781354

4:THE REGIONAL MANAGER
CHOLAMNDALAM MS GENERAL INSURANCE CO LTD
G S ROAD
ULUBARI

NEAR DEORAH COLLEGE

GUWAHATI-07 DIST-KAMRUP (M) ASSA

Advocate for the Petitioner : MR.D SARMA, MS. P MAZUMDAR,MR.M PHUKAN,MR.R D CHOUDHURY,MR.S CHANDA,MR.S SAMARIA,SR GA,ASSAM

Advocate for the Respondent : MRS H B GOHAIN (R-3), FOR CAVEATOR,MRS. M BORA,MR.S SAHA

CAVT. NO. 29/2017
With
I.A.(Civil) Case No. 2450/2017
In
MACApp. Case No. 134/2017

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

12.03.2026

[1] Heard Ms. G. Bora, the learned Standing Counsel, Agriculture Department appearing for the appellant. Also heard Mr. S. Saha, the learned counsel for the respondent Nos. 1 and 2.

[2] It appears from the order dated 28.03.2025 that this court has held that the service on the other respondents is complete, however, except respondent Nos. 1 and 2, no other respondent is represented before this court today, including the respondent No. 4, i.e., insurance company.

[3] This appeal shall, therefore, proceed *ex-parte* against the absentee respondents.

[4] During the course of hearing, a query was posed by this court to the learned counsel for the appellant as to what is meant by a "cover note" of the insurance policy, as the said phrase has been used in Rule 142 of the Central Motor Vehicle Rules, 1989.

[5] On this, the learned counsel has sought some time to answer to the query posed by this court.

[6] The prayer is allowed.

[7] Let this matter be listed on 24th March, 2026.

JUDGE

Comparing Assistant