

GAHC010019522026



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

Case No. : I.A.(Civil)/240/2026

TUHINA YUHID
W/O LATE JAHIRUL ISLAM, VILL.- KAPALKATA, P.S.- SONAPUR, DIST.-
KAMRUP (M), PIN- 782401.

2: SUBITA BEGUM
D/O MASDDAR ALI R/O SANKAR PATH P.O. AND P.S.- NAGAON DIST.-
NAGAON ASSA

VERSUS

TATA AIG GENERAL INSURANCE CO LTD
HAVING ITS REGISTERED OFFICE AT PENISULA CORPORATE PARK,
NICOLAS PIRAMAL TOWER 9TH FLOOR, GANPATRO KADAM MARG,
MUMBAI, PIN- 400013, ZONAL OFFICE AT CONSTANTIA OFFICE COMPLEX,
2ND FLOOR, 11, DR U.N. BRAHMACHARI STREET, KOLKATA- 700017 AND
BRANCH OFFICE AT ABC, G.S. ROAD GUWAHATI- 781005.

Advocate for the Petitioner : MR J MOLLAH, MS. S P DAS, MRS. A BHANU

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

Date : 25.02.2026

1. Heard Mr. J. Mollah, learned counsel for the applicant. Also heard Ms. P. Borthakur, learned counsel appearing for the Insurance Company.

2. This interlocutory application has been filed by the applicant/claimant in connection with the connected MAC Appeal No. 561/2025 praying for directing the Registry of this Court to disburse the 50% of the awarded amount, which was deposited by the Insurance Company before this Court in pursuant to the order dated 15.12.2025 passed in I.A.(C) No. 4056/2025 as a condition for grant of stay of execution of the impugned judgment and award.

3. Ms. P. Borthakur, learned counsel for the Insurance Company submits that the Insurance Company does not have any objection, provided the applicant furnishes an indemnity bond to the effect that they shall return back the said amount in the event of allowing of the appeal and in the event of any such direction by the Court.

4. Ms. A. N. H. Phom, learned counsel appearing for the respondent Nos. 2 and 3 does not raise any objection the prayer made by the learned counsel for the applicant.

5. Considering the submissions made by learned counsel for the Insurance Company as well as other materials available on record, this interlocutory application is allowed.

6. The Registry is directed to disburse the 50% of the awarded amount deposited by the Insurance Company before it in pursuant to this Court order to the applicant/claimant, namely, Tuhenah Yuhid after proper verification.

7. This interlocutory application is accordingly disposed of.

JUDGE

Comparing Assistant