

GAHC010023812026



undefined

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

Case No. : I.A.(Civil)/633/2026

ORIENTAL INSURANCE COMPANY LTD
A CENTRAL GOVT. UNDERTAKING HAVING ITS REGIONAL OFFICE AT
GUWAHATI
G.S. ROAD
ULUBARI
GUWAHATI - 781 007 REPRESENTED BY THE MANAGER
GAUHATI REGIONAL OFFICE
ULUBARI
GUWAHATI - 781007.

VERSUS

SMTI MANASHI ALIAS MANOSHI RABHA AND 6 ORS
W/O LATE SANJIT RABHA

2:MASTER MRINMAY RABHA
S/O LATE SANJIT RABHA

3:MASTER RINTUMAY RABHA
S/O LATE SANJIT RABHA

4:SMTI GOPINI RABHA
M/O LATE SANJIT RABHA
ALL ARE RESIDENT OF DHUPGURI
P. O. P.S. - BOKO
DISTRICT - KAMRUP
ASSAM. PIN - 781123 RESPONDENT NO. 2 AND 3 ARE REPRESENTED BY
RESPONDENT NO. 1.

5:MD JAKIR HUSSAIN
(OWNER)

S/O ACHAR ALI
C/O - NEWAZ KHAN
R/O. - KOPUHA P.O. - MONDIA
P. S. - BARPETA DISTRICT - BARPETA
ASSAM. PIN -781308

6:KAMALA DAS
DRIVER
S/O LATE JITESH DAS
R/O-T. R. PHUKAN ROAD
FANCY BAZAR
GUWAHATI
P.O. - FANCY BAZAR
DISTRICT - KAMRUP M
ASSAM. PIN -781001

7:BABUL ALIAS BUBUL HUSSAIN
DRIVER
S/O MD. AJIZUR RAHMAN
R/O - BORKHETRI BORN
P.O. - BALOWA
P.S. - BELSOR DISTRICT - NALBARI
ASSAM. PIN -781310

Advocate for : MS. R D MOZUMDAR
Advocate for : appearing for SMTI MANASHI ALIAS MANOSHI RABHA AND 6
ORS

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

Date : 27.02.2026

- 1.** Heard Mr. S. P. Sharma, learned counsel for the applicant.
- 2.** This Interlocutory Application has been filed by the applicant/Insurance Company in connection with MAC Appeal No.85/2026, praying for stay of execution of the impugned Judgment and Award dated 06.11.2025, passed by the Motor Accident Claims Tribunal No.3, Kamrup (Metro) at Guwahati in MAC Case No.2528/2017 during the pendency of the connected of the MAC Appeal.
- 3.** The applicant has been directed to pay the compensation amount of

Rs.17,40,000/- to the claimant at an interest @ 9% per annum by the aforesaid Judgment and Award.

4. Learned counsel for the applicant submits that the applicant is ready to deposit 50% of the awarded amount before the Registry of this Court as a condition for grant of stay of the execution of the impugned Judgment and Award.

5. Considering the submissions made by learned counsel for the applicant, a notice to the respondents/ opposite parties is waived and the prayer is allowed.

6. The execution of impugned Judgment and Award dated 06.11.2025, passed by the Motor Accident Claims Tribunal No.3, Kamrup (Metro) at Guwahati in MAC Case No.2528/2017 shall remain stayed subject to deposit of 50% of the awarded amount by the present applicant before the Registry of this Court within a period of 6 (six) weeks from the date of this order.

7. With the aforesaid direction, this Interlocutory Application stands disposed of.

JUDGE

Comparing Assistant