

GAHC010029482026



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

Case No. : MACApp./406/2026

SURAJIT SEAL ALIAS SURJIT SHIL
SOLATE RANENDRA KR SEAL, RO WARD NO 8, DURGAPUR, PO AND PS
BILASIPARA, DIST DHUBRI, ASSAM, PIN 783348

VERSUS

AMRISH SAHA
SO PROTISH CH BHOWMIK, RO WARD NO 6, TUFANGANJ, DIST
COOCHBEHAR, WEST BENGAL, PIN 736159

2:NURUL HOQUE
S/O LATE MOKSHED ALI
R/O VILL- KATHALBARI
P.S- BAGRIBARI
DIST- KOKRAJHAR
ASSAM
PIN- 783349

3:THE ORIENTAL INSURANCE CO. LTD

REPRESENTED BY ITS REGIONAL MANAGER
GUWAHATI REGIONAL OFFICE
ULUBARI
GUWAHATI- 78100

Advocate for the Petitioner : MR MITHUN TALUKDAR, B SARMA

**Advocate for the Respondent : MR N AHMED, MS. C MOZUMDAR(R3),MR. S P
SHARMA(R3),MR N AHMED(R1,2),MR R A AHMED(R1,2),MR. A A MONDAL(R1,2),IMDADUL
ISLAM(R1,2),MRS R BEGUM(R1,2)**

BEFORE

HONOURABLE MRS. JUSTICE YARENJUNGLA LONGKUMAR

ORDER

14.09.2026

- 1.** The instant appeal under Section 173 of the Motor Vehicle Act, has been preferred by the appellant against the judgment and award dated 16.07.2025 passed by the learned MACT, Dhubri in MAC Case No. 90/2019(I).
- 2.** Heard learned counsel Mr. M Talukdar for the appellant.
- 3.** This instant appeal has been filed for enhancement of the judgment and award dated 16.07.2025 on the ground that the claimant has become permanently disabled to the extent of 70%, however, the Tribunal had wrongly come to the conclusion that the loss of earning capacity was only to the extent of 50%.
- 4.** It is also stated by the learned counsel for the appellant that the amount awarded towards future prospect is also on the lower side and also the award towards future medical expenditure.
- 5.** Admit the appeal. Call for the records of MAC case from the learned MACT, Dhubri.
- 6.** Learned counsel Mr. N Ahmed has already entered appearance for respondents Nos. 1 and 2. Respondent No.3 has also entered appearance.

- 7.** The learned counsel for the appellant shall furnish copies of the appeal memo to the counsel for the respondents during the course of the day and the name of Mr. M. Talukdar may be reflected in the cause list as counsel for the appellant.
- 8.** List this matter after four weeks.

JUDGE

Comparing Assistant