

GAHC010033432026



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

Case No. : I.A.(Civil)/623/2026

UNITED INDIA INSURANCE CO. LTD.
HAVING ITS REGISTERED AND HEAD OFFICE AT 24 WHITES ROAD
CHENNAI-600014 AND ONE OF THE REGIONAL OFFICE AT G.S ROAD
DISPUR
GUWAHATI-781005

VERSUS

RABIYA BEGUM KAZI AND 6 ORS
W/O LATE RAHMAT ALI
R/O SINGIRBOND PART-IV
P.O.- DALOGRAM
NIZ- RUPAIBALI
DIST- CACHAR
ASSAM
PIN-788101

2:ROSHAN ALI
S/O LATE RAHMAT ALI
R/O SINGIRBOND PART-IV
P.O.- DALOGRAM
NIZ- RUPAIBALI
DIST- CACHAR
ASSAM
PIN-788101 (BEING MINOR
REPRESENTED BY RESPONDENT NO. 1)

3:ROSHNI SULTANA
D/O LATE RAHMAT ALI
R/O SINGIRBOND PART-IV
P.O.- DALOGRAM

NIZ- RUPAIBALI
DIST- CACHAR
ASSAM
PIN-788101 (BEING MINOR
REPRESENTED BY RESPONDENT NO. 1)

4:RAEES RUHAN ALI
S/O LATE RAHMAT ALI
R/O SINGIRBOND PART-IV
P.O.- DALOGRAM
NIZ- RUPAIBALI
DIST- CACHAR
ASSAM
PIN-788101 (BEING MINOR
REPRESENTED BY RESPONDENT NO. 1)

5:HALIMAN BIBI
W/O LATE KALAL UDDIN
R/O SINGIRBOND PART-IV
P.O.- DALOGRAM
NIZ- RUPAIBALI
DIST- CACHAR
ASSAM
PIN-788101

6:MATAB UDDIN LASKAR
S/O ABDUL LATIF LASKAR
R/O VILL- KABIURA
P.O.- MEHERPUR
P.S.- SILCHAR
DIST- CACHAR
ASSAM
PIN-788015

7:RAJU AHMED LASKAR
S/O YUSUF UDDIN LASKAR
R/O VILL- MEHERPUR
P.S.- SILCHAR
DIST- CACHAR
ASSAM
PIN-788015

Advocate for : MR. A J SAIKIA
Advocate for : appearing for RABIYA BEGUM KAZI AND 6 ORS

In
MACApp. Case No. 79/2026

**BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA**

ORDER

27.02.2026

[1] Heard Mr. A.J. Saikia, the learned counsel for the applicant.

[2] This application under Order 41, Rule 5, read with Section 151 of the Code of Civil Procedure, 1908 has been filed by the applicant/insurance company in connection with MAC Case No. 79/2026, praying for stay of execution of judgment and award dated 19.11.2025, in MAC Case No. 115/2022 by the learned Member, Motor Accident Claims Tribunal, Cachar, Silchar, whereby the present applicant was directed to pay a compensation of Rs. 97,08,860/-, along with an interest @ 9 per annum to the respondents/claimants.

[3] The learned counsel for the applicant has submitted that the applicant has impugned aforesaid judgment and award in the connected MAC Case No. 79/2026, which has already been admitted.

[4] He submits that in the said appeal, the notices are also issued to the respondents. He also submits that the insurance company is also ready to deposit 50 % of the awarded amount as a condition for stay of the execution of the impugned judgment and award.

[5] Considering the submissions made by the learned counsel for the applicant, the notice to the respondents are waived and the prayer made by the applicant is allowed.

[6] The execution of the impugned judgment and award dated 19.11.2025, in MAC Case No. 115/2022, by the learned Member, Motor Accident Claims Tribunal, Cachar, Silchar, shall remain stayed during the pendency of the connected the MAC Case No. 79/2026, subject to deposit of 50% of the awarded amount by the applicant before the Registry of this court within a period of 6(six) weeks from the date of this order.

[7] This interlocutory application is accordingly disposed of.

JUDGE

Comparing Assistant