

GAHC010035832026



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

Case No. : I.A.(Civil)/745/2026

SMT MINATI DAS AND ANR
W/O LATE JADAB DAS, RESIDENT OF VILL.- BANKAKATA (DAKSHIN), P.S.-
CHHAYGAON, P.O.- BAMUNIGAON, DIST- KAMRUP (ASSAM). PIN- 781141.

2: KUSHAL DAS
S/O LATE JADAB DAS
RESIDENT OF VILL.- BANKAKATA (DAKSHIN)
P.S.- CHHAYGAON
P.O.- BAMUNIGAON
DIST- KAMRUP (ASSAM). PIN- 781141

VERSUS

ICICI LOMBARD GENERAL INSURANCE COMPANY LIMITED AND 2 ORS.
REPRESENTED BY ITS REGIONAL MANAGER, OFFICE- G.S. ROAD,
RUKMINI GAON, GUWAHATI -22.

2:AJIT KR. KALITA
S/O LATE HARKANTA KALITA
VILL- KHUTABARI
P.S.- DHUPDHARA
DISTRICT- GOALPARA (ASSAM)

3:MD. HAFIZUR RAHMAN
S/O NAZMUL HAQUE
RESIDENT OF HOUSE NO. 47
WARD NO. 13
DHIRENPARA
FATASIL
P.S.- FATASIL AMBARI
GUWAHATI
DISTRICT- KAMRUP (M)
ASSA

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 : 07.04.2026

1. Heard Ms. J. Mollah, learned counsel for the applicant.
2. On perusal of the Office Note dated 02.04.2026, it appears that notice issued to respondent No.1 has been duly served.
3. The learned counsel for the applicant submits that since the connected appeal has been filed by the present appellant on being aggrieved with the quantum of compensation awarded to them, hence, there may not be any requirement of the presence of respondent No.3 in this case.
4. The learned counsel for the applicant also submits that before the MACT also, the respondent No.3, who is the driver of the offending vehicle, did not turn down and the case proceeded ex-parte against him.
5. In view of the above submissions, the notice to respondent No.3 is hereby waived. However, the Registry is directed to place the postal track consignment report of notice issued to the respondent No.2 by speed post before this Court on the next date fixed.
6. Let this matter be listed on 07.05.2026.

JUDGE

Comparing Assistant