

GAHC010038542026



2026:GAU-AS:3067

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

Case No. : I.A.(Civil)/637/2026

SMTI LILA DAS AND ORS
W/O RANJAN DAS, R/O VIL.L WEST PRATAPUR PT-V, PO PRATAPUR, PS
SILCHAR, DIST. CACHAR, ASSAM.

2: RANJAN DAS
S/O LT RADHA MOHAN DAS
R/O VIL.L WEST PRATAPUR PT-V
PO PRATAPUR
PS SILCHAR
DIST. CACHAR
ASSAM.

3: RUHIT DAS
S/O LT RAKHU DAS
R/O VIL.L WEST PRATAPUR PT-V
PO PRATAPUR
PS SILCHAR
DIST. CACHAR
ASSAM.

4: SONALI DAS
D/O RANJAN DAS
R/O VIL.L WEST PRATAPUR PT-V
PO PRATAPUR
PS SILCHAR
DIST. CACHAR
ASSAM.

5: KANCHAN DAS
D/O RANJAN DAS
R/O VIL.L WEST PRATAPUR PT-V
PO PRATAPUR
PS SILCHAR
DIST. CACHAR

ASSAM.

6: MALLIKA DAS
D/O RANJAN DAS
R/O VILL WEST PRATAPUR PT-V
PO PRATAPUR
PS SILCHAR
DIST. CACHAR
ASSAM.

7: JUTIRMAY DAS
D/O RANJAN DAS
R/O VILL WEST PRATAPUR PT-V
PO PRATAPUR
PS SILCHAR
DIST. CACHAR
ASSAM.

8: BONOMALA ROY
W/O LT BIRENDRA ROY
R/O. VILL. CHIBITA BICHIA PART V
P/O. AND P/S. SILCHAR

VERSUS

NEW INDIA ASSURANCE CO LTD AND ORS
HAVING ITS REGISTERED OFFICE AT NEW ASSURANCE BUILDING 87,
MAHATMA GANDHI ROAD, MUMBAI, AND ONE OF THE REGIONAL
OFFICES AT STAR CITY COMPLEX, 5TH FLOOR, LACHIT NAGAR,
GUWAHATI-781005, NEAR HANUMAN MANDIR

2: SURABUL HAQUE
S/O. MD. SANAM MIA
R/O VILL. BIHARA PT. VI
P/O. AND P/S. KATIGORAH
DIST. CACHAR
ASSAM.

3: NUR UDDIN
S/O ABDUL MANAF
R/O VILL. LAKHIPUR PT. I
P/O. AND P/S. KATIGORAH
DIST. CACHAR
ASSAM

Advocate for the Petitioner : MR. M TALUKDAR,

Advocate for the Respondent : MR. K K BHATTA,

**BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND**

ORDER

27.02.2026

1. Learned counsel Mr. M. Talukdar is present for the applicant who has made a prayer to direct the appellant/opposite party No. 1, New India Assurance Company to deposit 50% of the compensation amount awarded by the learned Member, MACT, Cachar at Silchar. In connection with MAC Case No. 367/2022 vide order dated 03.05.2025, the learned Tribunal has directed the Insurance Company to pay a compensation of Rs. 21,46,400/- with interest @ 9% from the date of filing of the claim petition.
2. Learned counsel for the Insurance Company/respondent has raised objection stating that the route permit has been disputed by the Insurance Company and has claimed that the route permit was not valid at the time of the accident. The appellant has preferred this appeal and as the Trial Court Records are before this Court, the claimant is suffering immensely because the appellant has not deposited the compensation.
3. It is submitted that the applicant Nos. 1 and 2 are the parents of the deceased, applicant No. 3 is the minor son of the deceased, whereas the other respondents being siblings were dependants of the deceased. The wife of the deceased has passed away.
4. I have considered the plight of the claimants. The appeal is pending and has not been fixed for hearing. Notices are yet to be issued to the respondents which will further delay the hearing of the appeal.
5. It appears that an order may be passed directing the Insurance Company

to deposit 50% of the compensation awarded to the claimant.

6. Thereby, the Insurance Company is directed to deposit 50% of the compensation awarded to the claimants within 6 (six) weeks before the Registry of this Court from the date of this order and the claimant No. 1 may withdraw the amount after executing an indemnity bond and after proper verification by the Registry, the claimant No. 1 may withdraw the 50% of the compensation amount.

7. In terms of the above observation, this I.A. stands disposed of.

JUDGE

Comparing Assistant