

GAHC010060492024



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

Case No. : CRP(IO)/111/2024

BAJAJ ALLIANZ GENERAL INSURANCE COMPANY LIMITED
HAVING ITS REGISTERED AND HEAD OFFICE AT GE PLAZA, AIRPORT
ROAD, YERWADA, PUNE- 411006, MAHARASHTRA AND ITS BRANCH
OFFICE AT 2ND FLOOR, SREEJI TOWER, ADJACENT TO MAHINDRA
SHOWROOM, CHRISTIAN BASTI, G.S. ROAD, GUWAHATI-781006,
REPRESENTED BY ITS EXECUTIVE LEGAL OFFICER.

VERSUS

GIRIKANTA MAHANTA AND 5 ORS.
S/O- HEMKANTA MAHANTA, R/O- VILL.- MEKANAR CHUBURI, P.O.
BIHAGURI, P.S. TEZPUR, DIST. SONITPUR, ASSAM, PIN- 784153.

2:KIRU GURIA
S/O- GABREEL GURIA
R/O- VILL.- PURANI GHAGRA
BINDUKURI
P.S. TEZPUR
DIST.- SONITPUR
ASSAM
PIN- 784502.

3:UTTAM TANTI
S/O- KHIROD TANTI
R/O- VILL.- KATHALGURI TEA ESTATE
P.O. BINDUKURI
P.S. TEZPUR
DIST. SONITPUR
ASSAM
PIN- 784502.

4:THE STATE OF ASSAM

REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY
HOME AND POLITICAL DEPARTMENT
GOVERNMENT OF ASSAM
DISPUR
GUWAHATI-781006

5:THE ADDITIONAL CHIEF SECRETARY
TRANSPORT DEPARTMENT
GOVERNMENT OF ASSAM
DISPUR
GUWAHATI-781006

6:THE OFFICER-IN-CHARGE
TEZPUR POLICE STATION

DISTRICT- SONITPUR
ASSAM

Advocate for the Petitioner : MR T KALITA, MR. A KAKATI

Advocate for the Respondent : MR. D NATH (R-4,5,6),

Linked Case : CRP/44/2025

SUBARNALATA DAS
W/O LATE ANJAN KUMAR DAS
RESIDENCE OF M.C ROAD
UZAN BAZAR
PANBAZAR
DISTRICT- KAMRUP (M)
ASSAM
PHONE NO- 8638739454

VERSUS

MAHESWARI INDUSTRIES AND 2 ORS
CARE OF MAHESH KUMAR
P
S. JALUKBARI
DIST- KAMRUP (M)
ASSAM (OWNER OF THE OFFENDING VEHICLE NO. AS 01 MC 7520)

2:AMRIT KOCH
MANIK KOCH
VILL- BOKO
DIST- KAMRUP (R)
ASSAM (DRIVER OF THE OFFENDING VEHICLE NO. AS-01 MC-7520)

3:UNITED INDIA INSURANCE CO. LIMITED
GODREJ BUILDING
ULUBARI
GUWAHATI
DIST- KAMRUP (M)
ASSAM

Advocate for : MR MINTU SAIKIA
Advocate for : MR. S RAHMAN (R-1) appearing for MAHESWARI INDUSTRIES
AND 2 ORS

Linked Case : CRP(IO)/257/2024

ICICI LOMBARD GENERAL INSURANCE COMPANY LIMITED
HAVING ITS REGISTERED OFFICE AT SHRI SIDDHI VINAYAK GANAPATI
MANDIR

ICICI LOMBARD HOUSE 414
P. BALU MARG

SVS ROAD
PRABHADEVI
MUMBAI- 400025

ITS ZONAL OFFICE ZONAL OFFICE AT 7TH FLOOR
APEEJAY HOUSE
15
PARK STREET
KOLKATA- 700016 AND ITS BRANCH OFFICE AT 3RD FLOOR
KAMAKHYA TOWER

G.S. ROAD
CHRISTIAN BASTI
GUWAHATI- 781005
REPRESENTED BY THE LEGAL MANAGER.

VERSUS

JAYA NARZARY AND 5 ORS
WIFE OF LATE BILIFANG NARZARY

RESIDENT OF VILLAGE- NEW BALAJAN

POST OFFICE- KARIGAON

POLICE STATION- KOKRAJHAR
BTAD

ASSAM
PIN- 783373.

2:DERSUNG NARZARY
SON OF LATE BILIFANG NARZARY

RESIDENT OF VILLAGE- NEW BALAJAN

POST OFFICE- KARIGAON

POLICE STATION- KOKRAJHAR
BTAD

ASSAM
PIN- 783373.

(RESPONDENT BEING MINOR IS REPRESENTED BY THE RESPONDENT NO.
1).

3:BIRSAR NARZARY
SON OF LATE BILIFANG NARZARY

RESIDENT OF VILLAGE- NEW BALAJAN

POST OFFICE- KARIGAON

POLICE STATION- KOKRAJHAR
BTAD

ASSAM
PIN- 783373.

(RESPONDENT BEING MINOR IS REPRESENTED BY THE RESPONDENT NO.
1).

4:SANJIB NARZARY
SON OF LATE GAJEN NARZARY

RESIDENT OF VILLAGE- ALFAGAON

POST OFFICE- SERFANGURI

POLICE STATION- SERFANGURI

DISTRICT- KOKRAJHAR
BTAD
ASSAM

PIN- 783346..
(OWNER OF THE VEHICLE - AS-16 ER-4495)

5:RANJIT BASUMATARY
SON OF LATE LOKEN BASUMATARY

RESIDENT OF VILLAGE- UTTAR PATGAON

POST OFFICE- SERFANGURI

POLICE STATION- SERFANGURI

DISTRICT- KOKRAJHAR
BTAD
ASSAM

PIN- 783346.
(DRIVER OF THE VEHICLE -AS 16 ER-4495).

6:THE BRANCH MANAGER
RELIANCE GENERAL INSURANCE COMPANY
5TH FLOOR
PRAG PLAZA
BHANGAGARH
G.S. ROAD
GUWAHATI-- 781005.
(INSURER OF THE VEHICLE- AS 16 G- 2369).

Advocate for : MR T KALITA
Advocate for : MR. T DEURI(R-1

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5) appearing for JAYA NARZARY AND 5 ORS

Linked Case : CRP/140/2023

MOSTAFIZUR RAHMAN @ MUSTAFIZUR RAHMAN AND ANR
S/O AZAHAR ALI
R/O VILL-MOINBARI

P.O.-NIZ MOINBARI
P.S.-KALGACHIA
DIST-BARPETA
ASSAM (BEING MINOR REPRESENTED BY HIS FATHER
PETITIONER NO. 2)

2: AZAHAR ALI
S/O MAYNAL HAQUE
R/O VILL-MOINBARI
P.O.-NIZ MOINBARI
P.S.-KALGACHIA
DIST-BARPETA
ASSAM
VERSUS

WAZED ALI AND ANR
S/O ATOWAR RAHMAN
R/O VILL-BANGHUGI
P.O.-BANGHUGI
P.S.-KALGACHIA
DIST-BARPETA
ASSAM
PIN-781319

2:ICICI LOMBARD GENERAL INSURANCE CO. LTD.
REPRESENTED BY ITS LEGAL MANAGER
ADDRESS- 3RD FLOOR
KAMAKHYA TOWER
ROAD
GUWAHATI
ASSAM
PIN-781005

Advocate for : G UDDIN
Advocate for : appearing for WAZED ALI AND ANR

Linked Case : CRP/32/2025

BIJIT GONDHIA @ BIJIT GANDHIA AND ANR
S/O- THOLOK GANDHIA
R/O- BONGAL GAON
P.O- DERGAON
P.S- DERGAON
DIST- GOLAGHAT
ASSAM
PIN- 785614

2: MRIDU SPONDON GONDHIA
S/O SRI BIJIT GONDHIA
R/O- BONGAL GAON
P.O- DERGAON
P.S- DERGAON
DIST- GOLAGHAT
ASSAM
PIN- 785614 (BEING MINOR
REPRESENTED BY PETITIONER NO. 1)
VERSUS

NRIPEN SAIKIA AND ANR
S/O- LATE UMESWAR SAIKIA
R/O- HATIAKHOWA
P.O- HATIAKHOWA
P.S- DERGAON
DIST- GOLAGHAT
ASSAM
PIN- 785626

2: NATIONAL INSURANCE COMPANY LIMITED
GOLAGHAT BRANCH
HEMCHANDRA GOSWAMI PATH
P.O.- GOLAGHAT
DIST- GOLAGHAT
ASSAM
PIN-785621
REPRESENTED BY ITS BRANCH MANAGER

Advocate for : MR. M DUTTA
Advocate for : MR. P J BARMAN (R2) appearing for NRIPEN SAIKIA AND ANR

Linked Case : CRP(IO)/187/2025

SHRIRAM GENERAL INSURANCE COMPANY LIMITED
HAVING ITS CORPORATE AND REGISTERED OFFICE AT E-8
EPIP
RIICO INDUSTRIAL AREA
SITAPURA
JAIPUR
RAJASTHAN
INDIA
PIN-302022 AND ONE OF THE BRANCH OFFICES AT B.R. ARCADE
3RD FLOOR
OPPOSITE TO PRIYA PALACE HOTEL

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JANAPATH
ULUBARI
GUWAHATI-781007
KAMRUP
ASSAM

VERSUS

MD EKRAMUL HUSSAINAND 2 ORS.
S/O ABDUL HAKIM
P/R/O VILL- UTTAR PUTA KALONG
MAZULI
P.S.- RUPAHIHAT
DIST- NAGAON
ASSAM
PIN-781318

2:DIBYA MORAN
S/O MODESWAR MORAN
R/O VILL- BETONI
P.S.- DIGBOI
P.O.- MAMORONI (MAKUM)
DIST- TINSUKIA
ASSAM
PIN-786170

3:DIPEN TANTI
S/O SAMARU TANTI
R/O VILL- PANKIAL GAON
P.S.- GOLAGHAT
DIST- GOLAGHAT
PIN-785702

Advocate for : MR. A J SAIKIA
Advocate for : appearing for MD EKRAMUL HUSSAINAND 2 ORS.

Linked Case : CRP/141/2023

BILLAL HUSSAIN @ BILLAL HASSAN
S/O ABDUL GOFUR
R/O VILL- NEAR GARAM
DABONDIA
P.O.-GUNIALGURI
P.S.-KALGACHIA

DIST- BARPETA
ASSAM
PIN-

VERSUS

WAZED ALI AND ANR
S/O ATOWAR RAHMAN
R/O VILL-BANGHUGI
P.O.-BANGHUGI
P.S.-KALGACHIA
DIST-BARPETA
ASSAM
PIN-781319

2:ICICI LOMBARD GENERAL INSURANCE CO. LTD.
REPRESENTED BY ITS LEGAL MANAGER
ADDRESS- 3RD FLOOR
KAMAKHYA TOWER
ROAD
GUWAHATI
ASSAM
PIN-781005

For the Petitioner(s) : Mr. T. Kalita, Advocate
Mr. G. Uddin, Advocate
Mr. M. Dutta, Advocate

For the Respondent(s) : Mr. D. Nath, Sr. Govt. Advocate
Mr. R. Sahani, Advocate
Mr. T. Deuri, Advocate
Mr. L. Wangsa, Advocate

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 21.08.2025

List these matters again on 18.09.2025.

2. Interim order passed earlier shall continue till then.

JUDGE

Comparing Assistant