

GAHC010060492024



undefined

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

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

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).

Linked Case : CRP(IO)/339/2025

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 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

SMT. PRANITA BISWAS AND 2 ORS
W/O SRI UDAY BISWAS
R/O VILL- OUJARI
P.O.- BAGHARA
P.S.- MORIGAON
DIST- MORIGAON
ASSAM
PIN- 782105

2:CHANDRA BORDOLOI
S/O SRI DHIRSINGH BORDOLOI
R/O VILL- OUJARI
P.O.- BAGHARA
P.S.- MORIGAON
DIST- MORIGAON
ASSAM
PIN- 782105

3:UDAY BISWAS
S/O LATE JATIN BISWAS
R/O VILL- OUJARI
P.O.- BAGHARA
P.S.- MORIGAON
DIST- MORIGAON
ASSAM
PIN- 782105

Linked Case : CRP(IO)/386/2023

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 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

SMT. RINA DAS AND 2 ORS
W/O ADHIR DAS
R/O VILL-CHOTO JALENGA BASTI
P.O.-BORO JALENGA
P.S.-DWABOND
DIST-CACHAR
ASSAM
PIN-788117
TEMP. RESIDENT OF HOSPITAL ROAD
P.O.-SILCHAR
P.S.-SILCHAR
DIST-CACHAR
ASSAM
PIN-788005

2:PRADIP KUMAR DAS
S/O HEMENDRA CHANDRA DAS
R/O VILL-AMBIKAPUR PT-IV
P.O.-JAIFARPUR
P.S.-SILCHAR
DIST-CACHAR
ASSAM
PIN-788005

3:SOURAV DAS
S/O PRADIP DAS
R/O VILL-AMBIKAPUR PT-IV
P.O.-JAIFARPUR
P.S.-SILCHAR
DIST-CACHAR
ASSAM
PIN-788005

Linked Case : CRP(IO)/392/2024

BAJAJ ALLIANZ GENERAL INSURANCE COMPANY LIMITED
HAVING ITS REGISTERED AND HEAD OFFICE AT GE PLAZA
AIRPORT AIRPORT
YERAWADA
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

SUSHILA RABHA AND 2 ORS.
W/O- LATE AKSHAY RABHA
R/O- BAPUPARA
THEKASU
PART-II
P.O. AND P.S. DUDHNOI
DIST. GOALPARA.

2:SAKIB ROADWAYS
C/O- SAHIDUL ISLAM
NOTBOMA MIAZAN MAZID PATH
P.O. AND P.S. HATIGAON
DIST. KAMRUP(M)
ASSAM
PIN- 781038. (OWNER OF THE VEHICLE BEARING NO. AS-01-HC-6887).

3:MD. HABIBUR RAHMAN
S/O- MD. HUSSAIN
R/O- WARD NO. 13
DOSTINAGAR
BALADMARI
P.O. AND P.S. GOALPARA
DIST. GOALPARA
ASSAM
PIN- 781301. (DRIVER OF THE VEHICLE BEARING NO. AS-01-HC-6887).

Linked Case : CRP(IO)/121/2025

SHRIRAM GENERAL INSURANCE COMPANY LIMITED
HAVING ITS CORPORATE 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
21
JANAPATH

ULUBARI
GUWAHATI- 781007
KAMRUP.

VERSUS

HANUFA KHATUN AND 3 ORS
W/O- ABDUL HEKIM

R/O- DAKHIN KHATOWAL
P.O- TARABARI
P.S- RUPAHIHAT
DIST-NAGAON
ASSAM
PIN-782125

2:IMDADUL HOQUE
S/O- SAHIDULLAH

R/O- KADAMANIPATHAR
P.S- JURIA
DIST-NAGAON
ASSAM
PIN-782124

3:MD MAIZUL HOQUE
S/O- MD. ALI HUSSAIN

R/O- LALUNGGAON
P.O- KASHORI

P.S- JURIA
DIST-NAGAON
ASSAM
PIN-782124

4:THE GOVERNMENT OF ASSAM
REPRESENTED BY THE CHIEF SECRETARY
DISPUR
GUWAHATI
ASSAM

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

Linked Case : CRP(IO)/332/2025

ICICI LOMBARD GENERAL INSURANCE COMPANY LTD
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 AT 7TH FLOOR

APEEJAY HOUSE
15
PARK STREET
KOLKATA-700016 AND ITS BRANCH OFFICE AT 3RD FLOOR
KAMAKHYA TOWER
G.S. ROAD
CHRISTIAN BASTI
GUWHATI-781005
REPRESENTED BY THE LEGAL MANAGER

VERSUS

MUJAMMIL HOQUE AND ANR
S/O CHAN MIYA
R/O JURIPAR
P.S.- KACHUA
DIST- NAGAON
ASSAM
PIN-782426

2:CHESONG BEY
S/O KAMSING BEY
R/O ANJOKPANI
P.S.- ANJOKPANI
DIST- KARBI ANGLONG
ASSAM
PIN-782139

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

Linked Case : CRP(IO)/134/2025

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
21
JANAPATH
ULUBARI
GUWAHATI-781007
KAMRUP
ASSAM

VERSUS

RUPAMONI BANIA BORA AND 2 ORS.
W/O DHIREN BORA
PERMANENT RESIDENT OF VILL- NALKATA BOWALGURI
P.S.- NORTH LAKHIMPUR
DIST- LAKHIMPUR
ASSAM AND PRESENT RESIDENT OF C/O MANTU DAS
VILLAGE- BARMURIKONA KARDOITALA
P.S. NALBARI
DISTRICT- NALBARI
ASSAM

PIN-781335

2:MD SADDAM HUSSAIN
SON OF LATE ZABBAR ALI
RESIDENT OF VILLAGE- CHINATOLIA
P.S.- NORTH LAKHIMPUR
DISTRICT- LAKHIMPUR
ASSAM
PIN-787001

3:MD BULBUL HUSSAIN
SON OF JABBAR ALI
RESIDENT OF VILLAGE CHUKULI BHARIA
P.S.- NORTH LAKHIMPUR
DISTRICT- LAKHIMPUR
ASSAM
PIN-787001

Linked Case : CRP(IO)/258/2025

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 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

ARIFUL HUSSAIN AND 3 ORS
S/O SAIDUL ISLAM
R/O TUBUKI GRANT
P.S.- KAMPUR

DIST- NAGAON
ASSAM
PIN-782137

2:KHALILUDDIN ANCHARY
S/O ABDUL MANNAF
R/O ROWMARI
P.S.- BATADRAVA
DIST- NAGAON
ASSAM
PIN-782125

3:AMIR HUSSAIN
S/O SAIDUL ISLAM
R/O TUBUKI GRANT
P.S.- KAMPUR
DIST- NAGAON
ASSAM
PIN-782137

4:NEW INDIA ASSURANCE COMPANY LIMITED
REPRESENTED BY ITS BRANCH MANAGER
NAGAON BRANCH
NAGAON
ASSAM
PIN-782001

Linked Case : MC/23/2025

SHRIRAM GENERAL INSURANCE COMPANY LIMITED
HAVING ITS CORPORATE 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
21
JANAPATH
ULUBARI
GUWAHATI- 781007
KAMRUP.

VERSUS

HANUFA KHATUN AND ORS
W/O- ABDUL HEKIM
R/O- DAKHIN KHATOWAL
P.O- TARABARI
P.S- RUPAHIHAT
DIST-NAGAON
ASSAM
PIN-782125

2:IMADUL HOQUE
S/O- SAHIDULLAH
R/O- KADAMANIPATHAR
P.S- JURIA
DIST-NAGAON
ASSAM
PIN-782124

3:MD MAIZUL HOQUE
S/O- MD. ALI HUSSAIN
R/O- LALUNGGAON
P.O- KASHORI
P.S- JURIA
DIST-NAGAON
ASSAM
PIN-785662
S

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

Linked Case : CRP/106/2024

MINESWAR GOGOI
S/O- LATE ADHIRAM GOGOI
R/O- NO. 3 MAHIMALIA
P.O. HABICHUKIA
P.S. GHILADHARI
DIST. GOLAGHAT
ASSAM
PIN- 785603.

VERSUS

UTTAM GOGOI AND 2 ORS.
S/O- SRI BHUGESWAR GOGOI
R/O- CHUTIAGAON
BOKOLAI
P.O. KAMARBANDHA ALI
P.S. AND DIST. GOLAGHAT
ASSAM
PIN- 785625.

2:TRIDIP MEDHI
S/O- NIRMAL CHANDRA MEDHI
C/O- J. DEKA
HOUSE NO. 7
RUPNAGAR

SARBANANDA PATH
NEAR SRIDHAN
VIMDABAN ASHRWAM
GUWAHATI
DIST.KAMRUP
ASSAM
PIN- 781032.

3:SBI GENERAL INSURANCE COMPANY LIMITED
JORHAT BRANCH
SECOND FLOOR
CITY PLAZA
OPPOSITE OF ELEYE CINEMA HALL
GAR ALI
P.O. AND DIST. JORHAT
ASSAM
PIN- 785001. REPRESENTED BY ITS BRANCH MANAGER.

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
21
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

For the petitioner (s) : Mr. T. kalita, Advocate

Mr. M. Dutta, Advocate
Mr. A. J. Saikia, Advocate
Mr. M. saikia, Advocate
Mr. A. H. Sarkar, Advocate

For the respondent (s) : Mr. D. Nath, Sr. Govt. Advocate

Mr. R. Goswwami, Advocate
Mr. P. J. Barman, Advocate
Mr. P. K. Das, Advocate
Ms. A. Roy, Advocate
Mr. A. Roy, Advocate

BEFORE
HON'BLE MR. JUSTICE DEVASHIS BARUAH
ORDER

03.12.2025

Mr. D. Nath, the learned Senior Government Advocate during the course of hearing has placed before this Court a notification dated

01.12.2025 issued by the Home Department of the Government of Assam.
The said notification is kept on record and marked with the letter "X".

2. List the matters for further deliberation on 09.12.2025 at 10:30 AM.

JUDGE

Comparing Assistant