

GAHC010057242023



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

**Case No. : I.A.(Civil)/1466/2023**

SBI GENERAL INSURANCE COMPANY LIMITED  
HAVING ITS REGISTERED OFFICE AND HEAD OFFICE AT NATRAJ BY  
RUSTOMJEE, 101 JUNCTION OF MV ROAD AND WESTERN EXPRESS  
HIGHWAY, ANDHERI (EAST) , MUMBAI 400069, ITS REGIONAL OFFICE, 4TH  
FLOOR B BLOCK, APEEJAY HOUSE, 15 PARK STREET, KOLKATA 700016,  
WEST BENGAL, AND ITS BRANCH OFFICE AT 2ND FLOOR, LAKSHMI  
DARSHAN, OPP. BORA SERVICE STATION, ULUBARI, GS ROAD, GUWAHATI  
781007, REPRESENTED BY ITS SR. EXECUTIVE LITIGATION AND TP

VERSUS

AMIYA KUMAR RABHA AND 7 ORS .  
S/O LATE BHABENDRA CH. RABHA,  
RESIDENT OF VILLAGE CHOTO MIA, PS DUDHNOI, DIST GOALPARA,  
ASSAM, 783122

2:SMTI. CHAYANIKA RABHA

DAUGHTER OF SRI AMIYA KUMAR RABHA

RESIDENT OF VILLAGE CHOTO MIA  
PS DUDHNOI  
DIST GOALPARA  
ASSAM  
783122

3:SRI KANGKAN RABHA

S/O AMIYA KUMAR RABHA

RESIDENT OF VILLAGE CHOTO MIA  
PS DUDHNOI

DIST GOALPARA  
ASSAM  
783122

4:THE DIVISIONAL MANAGER  
NEW INDIA ASSURANCE COMPANY LIMTED

BONGAIGAON DIVISION  
BONGAIGAON  
DIST BONGAIGAON  
ASSAM 783380

5:SRI BABUL CH. DAS

S/O SRI PRAKASH CH. DAS

RESIDENT OF VILLAGE PACHANIA  
PO PACHANIA  
DIST BONGAIGAON  
ASSAM 783382

6:SRI BUDHADEB MANDAL

S/O G. MANDAL RESIDENT OF 11 NO. BALUCHAR  
PO DHUBRI  
DIST DHUBRI  
ASSAM  
783301

7:SRI SWAJAL KARMAKAR

S/O PRAN GOPAL KARMAKAR  
RESIDENT OF LAKHIPUR  
PO LAKHIPUR  
PS LAKHIPUR  
DIST GOALPARA  
ASSAM 788103

8:TAZMAHAL HOQUE  
S/O SOLEMAN SARKAR  
RESIDENT OF GOALPARA TOWN  
PO  
PS AND DIST GOALPARA  
ASSAM 78810

**Advocate for the Petitioner** : MR T KALITA

**Advocate for the Respondent** : MR. R GOSWAMI

**BEFORE  
HONOURABLE MR. JUSTICE BUDI HABUNG**

**ORDER**

**Date : --21.02.2024**

Heard Mr. T. Kalita, learned counsel for the applicant. Also heard Ms. P. Borthakur, learned counsel for the respondents.

Office note dated 10.08.2023 reflects that notice upon respondent Nos. 1,2,4,5 & 6 has been duly served.

However, service report in respect of respondent No. 7 is still awaited and the un-served notice in respect of respondent No. 8 has been received with postal remark, "Addressee cannot be located. Return to sender."

The learned counsel for the applicant prays for allowing him to take fresh steps upon respondent Nos. 7 & 8.

The applicant shall take fresh steps upon respondent Nos. 7 & 8 within a week from today.

The learned counsel for the applicant also submits that in the cause title of the I.A. inadvertently the respondent No. 7 has been mentioned as Driver instead of Owner and prays for allowing him to file application for correction of the same. The appellant is at liberty to file appropriate application.

List the matter after 4 weeks.

**JUDGE**

**Comparing Assistant**