

GAHC010060052026



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

Case No. : I.A.(Civil)/2302/2026

THE ORIENTAL INSURANCE CO. LTD.
A COMPANY REGISTERED UNDER THE COMPANIES ACT
REPRESENTED BY ITS REGIONAL MANAGER
ULUBARI
GUWAHATI-7
DISTRICT- KAMRUP (M)
ASSAM.

VERSUS

JAYANTA CHAKRABARTY AND 2 ORS.
S/O SRI PRAFULLA CHAKRABARTY
R/O VILLAGE- CHANDKUCHI (GHILLAR CHOWK)
P.O.- CHANDKUCHI
P.S. AND DISTRICT- NALBARI
ASSAM.

2:TAIZUDDIN AHMED
S/O MD. ABDUS SALAM
R/O VILLAGE AND P.O.- ATA
P.S. AND DISTRICT- BARPETA
ASSAM. PIN CODE- 781301

3:HAKIM UDDIN
S/O CHANDU MIYA
R/O VILLAGE- KARERTOL
P.O.- BHATKUCHI
P.S. AND DISTRICT- BARPETA
ASSAM. PIN CODE- 781314

Advocate for : MR. S K GOSWAMI
Advocate for : appearing for JAYANTA CHAKRABARTY AND 2 ORS.

In

MACApp./368/2026

THE ORIENTAL INSURANCE CO. LTD.
A COMPANY REGISTERED UNDER THE COMPANIES ACT,
REPRESENTED BY ITS REGIONAL MANAGER, ULUBARI,
GUWAHATI-7, DISTRICT- KAMRUP (M), ASSAM.

VERSUS

JAYANTA CHAKRABARTY AND 2 ORS.
S/O SRI PRAFULLA CHAKRABARTY, R/O VILLAGE-
CHANDKUCHI (GHILLAR CHOWK), P.O.- CHANDKUCHI, P.S.
AND DISTRICT- NALBARI, ASSAM.

2:TAIZUDDIN AHMED
S/O MD. ABDUS SALAM
R/O VILLAGE AND P.O.- ATA
P.S. AND DISTRICT- BARPETA
ASSAM. PIN CODE- 781301

3:HAKIM UDDIN
S/O CHANDU MIYA
R/O VILLAGE- KARERTOL
P.O.- BHATKUCHI
P.S. AND DISTRICT- BARPETA
ASSAM. PIN CODE- 78131

Advocate for the Petitioner : MR. S K GOSWAMI, MR. SHYAM SHARMA,MR.
R SHARMA,MS P SARMA

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

17.07.2026

[1] Heard Mr. S.K. Goswami, the learned
counsel for the applicant/insurance company.

[2] This interlocutory application has been filed

by the applicant/insurance company, in connection with MAC Appeal No. 368/2026, praying for stay of execution of the impugned judgement and award during the pendency of the connected MACAppeal.

[3] The learned counsel for the insurance company submits that the insurance company is agreeable to deposit 50 % of the awarded amount as a condition for grant of stay of the execution of the impugned judgment and award.

[4] Considering the submissions made by the learned counsel for the applicant, the notice to the respondents is waived and this interlocutory application is allowed.

[5] The execution of impugned judgment and award dated 19.12.2025, passed by the Motor Accident Claims Tribunal No. 1, Kamrup (M), Guwahati in MAC Case No. 243/2021, shall remain stayed during the pendency of the connected MAC Appeal No. 368/2026, subject to deposit of 50% of the awarded amount by the applicant/insurance company before the Registry of this court within a period of 6(six) weeks, from the date of this order.

[6] This interlocutory application is, accordingly, disposed of.

JUDGE

Comparing Assistant