

GAHC010060452019



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

Case No. : MACApp./576/2022

UNITED INDIA INSURANCE COMPANY LTD
HAVING ITS REGISTERED OFFICE AND HEAD OFFICE AT 24 WHITES
ROAD, CHENNAI AND ITS REGIONAL OFFICE AT G.S. ROAD, DISPUR,
GUWAHATI

VERSUS

BHULU KR. DAS AND 4 ORS
S/O- SRI BHARAT CH. DAS, VILL.- BILORTARI, P.S. BARPETA, DIST.-
BARPETA, ASSAM, PIN- 781319

2:RUBUL GOGOI
S/O- LATE BANSIDHAR GOGOI

VILL.- BOLOMA
P.S. TEOK
DIST.- JORHAT
ASSAM
PIN- 785112.. (DRIVER OF VEHICLE NO. AS-15-E-3618).

3:MAINAK BHOWAL

S/O- LATE MANASH KAMAL BHOWAL

GAR ALI
BACKSIDE OF SINGH BROTHERS
P.S. AND DIST.- JORHAT
ASSAM. (OWNER OF VEHICLE NO. AS-01-H-5336 (TRUCK)).

4:HITESH BASUMATARY
S/O- LATE UDAY BASUMATARY

WARD NO. 13
SRIMANTAPUR
P.O. AND DIST.- BARPETA
ASSAM
PIN- 781301. (OWNER OF VEHICLE NO. AS-15-E-3618 (SCORPIO).

5:NEW INDIA ASSURANCE CO. LTD.

REP. BY ITS CHIEF REGIONAL MANAGER
REGIONAL OFFICE
G.S. ROAD
CHRISTANBASTI
GUWAHATI- 781005
DIST.- KAMRUP(M)
ASSAM

Advocate for the Petitioner : MR. R GOSWAMI

Advocate for the Respondent : MR. K R BORA

Linked Case : I.A.(Civil)/2559/2022

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Advocate for : MR. R GOSWAMI
Advocate for : MR. K R BORA appearing for BHULU KR. DAS AND 4 ORS

B E F O R E
HON'BLE MRS. JUSTICE MALASRI NANDI

26.08.2022

Heard Mr. R. Goswami, learned counsel appearing for the appellant as well as Mr. K.R. Bora, learned counsel appearing for the respondent no. 1.

This is an appeal under Section 173 of the Motor Vehicles Act, 1988 against the judgment and award dated 21.05.2018 in MAC Case No. 212/2013 passed by the learned

Addl. District Judge (FTC) No. 3, Cum Member M.A.C.T., Kamrup (M), Guwahati.

The appeal is admitted for hearing.

Call for the LCR.

As the learned counsel for the respondent no. 1 has entered appearance, no formal notice is required to be served upon the respondent no. 1. However, extra copies of memo of appeal be served to the respondent no. 1 within 3(three) days.

Issue notice to the respondent nos. 2 to 5 by registered post with A/D as well as by usual process, returnable within 4(four) weeks.

The appellant is to take steps for service of notice upon the respondent nos. 2 to 5 within 7(seven) days.

List this matter after 4(four) weeks.

JUDGE

Comparing Assistant