

GAHC010171802022



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

**BEFORE**  
**HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA**

**ORDER**

**Date : 01.04.2026**

- 1.** Heard Mr. R. Goswami, learned counsel for the applicant. Also heard Mr. K. R. Bora, learned counsel for the respondent No. 1 and Ms. M. Chetia, learned counsel for the respondent No. 5.
- 2.** On perusal of the office note dated 16.02.2026, it appears that the notice issued to the respondent No. 4 was received by his son. The notice issued to respondent No. 4 is accordingly held to be duly served.
- 3.** The learned counsel for the appellant has submitted that out of same accident which is involved in this present appeal, there are many other claims

case were filed by other claimants and in those cases, the respondent No. 5, i.e., the New India Assurance Company Limited has accepted the liability of paying compensation. He, therefore, submits that the notice to respondent Nos. 2 and 3 i.e., the driver of the vehicle bearing Registration No. AS-15-E-3618 as well as the owner of the truck bearing Registration No. AS-01-H-5336 may be waived.

**4.** The learned counsel for the respondent No. 5, however, seeks some time to take instructions and inform this Court regarding the submissions made by the learned counsel for the appellant.

**5.** Hence, list this matter again on 18<sup>th</sup> of May, 2026.

**JUDGE**

**Comparing Assistant**