

GAHC010062722026



undefined

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

Case No. : MACApp./137/2026

KRISHNA BORA @ KRISHNA BORAH AND 3 ORS
W/O LATE HIRANYA BORAH @ HIRANYA KUMAR BORAH, R/O VILL-
MAJPATHARI, P.S.- NAGAON SADAR, DIST- NAGAON (ASSAM)

2: SHREYASHRI BORAH
D/O LATE HIRANYA BORAH @ HIRANYA KUMAR BORAH
R/O VILL- MAJPATHARI
P.S.- NAGAON SADAR
DIST- NAGAON (ASSAM) (BEING MINOR
REPRESENTED BY APPELLANT NO. 1)

3: BULU BORA @ BULUMAI BORA
W/O BABUL BORA @ BABUL CH. BORAH
R/O VILL- MAJPATHARI
P.S.- NAGAON SADAR, DIST- NAGAON (ASSAM)

4: BABUL BORA @ BABUL CH. BORAH
S/O LATE AANU BORA @ ANURAM BORAH
R/O VILL- MAJPATHARI
P.S.- NAGAON SADAR, DIST- NAGAON (ASSAM)

VERSUS

IFFCO TOKIO GENERAL INSURANCE CO LTD AND 2 ORS
HOUSEFED COMPLEX, 3RD FLOOR, RUKMINIGAON (NEAR HDFC BANK),
P.O.- GUWAHATI-781022, DIST- KAMRUP (M) (ASSAM)

2:HABJUR RAHMAN
S/O MD. SAIFUL ISLAM
VILL- KANCHANPUR
P.O.- RUPOHI (SAIDARA)- 782125
DIST- NAGAON (ASSAM)

3:MD. SAHIDUL ISLAM

S/O GULZAR HUSSAIN
VILL- SOLMARI, P.O.- MAGURMARI- 782140
P.S.- RUPAHIHAT, DIST- NAGAON (ASSAM)

Advocate for the Petitioner : MR. A R AGARWALA, MR ADITYA AGARWALA,MS. R
LAILA,MD. K ALI

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

30.03.2026

Heard Mr. A. R. Agarwala, learned counsel for the appellants.

This appeal under Section 173 of the Motor Vehicles Act, 1988 has been preferred by the appellants impugning the judgment and order dated 12.02.2026 passed by the Motor Accident Claims Tribunal No. 2, Kamrup (M) in MAC Case No. 1865/2021 whereby the application filed by the present appellants under Section 166 of the MV Act was dismissed.

I have considered the submissions made by the learned counsel for the appellants as well as perused the grounds stated in the Memo of Appeal.

Admit.

Call for the records of MAC Case No. 1865/2021 from the concerned Tribunal.

Let **notice** be issued, returnable on **22.05.2026**.

Let steps be taken for service of notice upon the respondents by speed post as well as by usual process.

Steps within 7 (seven) days from the date of this order.

List accordingly.

JUDGE

Comparing Assistant