

GAHC010062932026



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

Case No. : MACApp./140/2026

THE ORIENTAL INSURANCE COMPANY LTD
HAVING ITS REGIONAL OFFICE AT GODREJ BUILDING, ULUBARI,
GUWAHATI- 781007, ASSAM, REPRESENTED BY ITS DEPUTY MANAGER

VERSUS

MOFIDUL ISLAM AND 5 ORS.
S/O SRI AROG ALI, R/O BHADAIPARA, P.S- ABHAYPURI, DIST-
BONGAIGAON, ASSAM, PIN- 783383

2:AMINA KHATUN
W/O MOFIDUL ISLAM
R/O BHADAIPARA
P.S- ABHAYAPURI
DIST- BONGAIGAON
ASSAM
PIN- 783383

3:THE NEW INDIA ASSURANCE CO. LTD.
HAVING ITS OFFICE AT BONGAIGAON DIVISIONAL OFFICE
BONGAIGAON
REPRESENTED BY ITS DIVISIONAL MANAGER

4:ASRAF ALI
S/O AZAHAR ALI
R/O VILL- BHADAIGAON
P.O.- LENGTISINGA
P.S.- ABHAYAPURI
DIST- BONGAIGAON
ASSAM

5:MOFIDUL ISLAM
S/O AKKEL ALI MONDAL
VILL- DUMURIA PART I

P.S- ABHAYAPURI
DIST- BONGAIGAON
ASSAM

6:SAHAB UDDIN
S/O ABU BAKKAR
VILL- BEHULAPARA
P.S- ABHAYAPURI
DIST- BONGAIGAON
ASSA

Advocate for the Petitioner : MR. J KALITA,

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

Date : 30.03.2026

- 1.** Heard Mr. J. Kalita, learned counsel for the appellant.
- 2.** This appeal under Section 173 of the MV Act has been preferred by the appellant/Oriental Insurance Company Limited impugning the judgment and order dated 10.12.2025 passed by the Motor Accident Claims Tribunal, Bongaigaon in MAC Case No. 164/2021 whereby the appellant was directed to pay 50% of the awarded amount of Rs.4,06,000/- (Rupees Four Lakh Six Thousand) to the respondents/claimants along with interest thereon.
- 3.** I have gone through the grounds stated in the memo of appeal and have considered the submissions made by the learned counsel for the appellant.
- 4.** This appeal is admitted.
- 5.** Let the records of MAC Case No. 164/2021 be called for from the concerned tribunal.

- 6.** Let the notice be issued to the respondents.
- 7.** The appellant shall take steps for issuance of notice upon the respondents by speed post as well as by usual mode within seven days from the date of this order, returnable on 22nd of May, 2026.

JUDGE

Comparing Assistant