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

Case No. : MACApp./239/2021

PRAKASH TODI
S/O- LATE DEOKI NANDAN TODI, R/O- G.N.B ROAD TINSUKIA, P.O., P.S.
AND DIST.- TINSUKIA, ASSAM, PIN- 786125.

VERSUS

THE ORIENTAL INSURANCE COMPANY LTD. AND 2 ORS.
(A GOVT. OF INDIA UNDERTAKING), HAVING ITS REGISTERED OFFICE AT
ORIENTAL HOUSE, P.B. NO. 7037, A-25/27, ASAF ALI ROAD, NEW DELHI-
110002 AND REGIONAL OFFICE AT G.S. ROAD, ULUBARI, GUWAHATI-
781007, DIST.- KAMRUP(M), ASSAM, REP. HEREIN BY ITS ASSTT.
MANAGER.

Advocate for the Petitioner : MR. R DUBEY, MR. S CHAMARIA, MR R AKHTAR, MR M M
ZAMAN, MS. A B KAYASTHA

Advocate for the Respondent : MS. R D MOZUMDAR, MR. S P SHARMA, MS. C MOZUMDAR

Linked Case : CO/4/2022

ORIENTAL INSURANCE COMPANY LTD.
HAVING ITS REGIONAL OFFICE AT GUWAHATI
G.S. ROAD
ULUBARI
GUWAHATI-781007 REP. BY THE DEPUTY MANAGER
GAUHATI REGIONAL OFFICE
ULUBARI
GUWAHATI-781007
KAMRUP(M)
ASSAM

VERSUS

PRAKASH TODI AND 2 ORS.
S/O- LATE DEOKI NANDAN TODI
R/O- G.N.B ROAD
OPP. SENAIRAM HIGHER SECONDARY SCHOOL
P.O.
P.S. AND DIST.- TINSUKIA
ASSAM
PIN- 786125.

2:MISS REEMA BODO
D/O- LAKHESWAR BODO
RUPNAGAR MAIN ROAD
INDRAPUR
P.O. AND P.S. DISPUR
GUWAHATI
DIST.- KAMRUP(M)
ASSAM
PIN- 781005 AND PRESENTLY RESIDING AT C/O- SANJIB DUTTA
A.K. AZAD ROAD
REHABARI
P.S. PALTANBAZAR
GUWAHATI-08
DIST.- KAMRUP(M)
ASSAM

3:ARUN DAS
S/O- A. DAS
R/O- SAPAKHATI NO. 1
1 NO. KAHATHIHA
KHUNDA GAON
P.O. AND P.S. SAPEKHETI
DIST. SIVASAGAR
ASSAM
PIN- 785692 AND PRESENT ADDRESS- SIBSAGAR OIL ROAD
P.O. AND P.S. SIBSAGAR
ASSAM
PIN- 785640.

Advocate for : MS. R D MOZUMDAR
Advocate for : appearing for PRAKASH TODI AND 2 ORS.

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

ORDER

Date – 26.08.2026

- 1.** Heard Mr. S. Chamaria, the learned counsel for the appellant in MAC Appeal No. 239/2021 as well as the respondent in Cross Objection No. 4/2022. Also heard Ms. R. D. Mozumdar, the learned counsel for the respondent Insurance Company in MAC Appeal No. 239/2021 as well as cross objector in Cross Objection No. 4/2022.
- 2.** It appears that the appeal is ready for hearing.
- 3.** It also appears from the office note dated 18.06.2026, that the name of the respondent Nos. 2 and 3 in the appeal was struck off.
- 4.** Since the cross objection is also directed against the quantum of compensation awarded to the claimants, the presence of owner and the driver of the offending vehicle may not be necessary in deciding the cross objection. Hence, the respondent No.2 and 3 in the cross objection are also not required to be notified.
- 5.** This appeal as well as cross objection is ready for hearing.
- 6.** Let this matter be listed on 10.12.2026.

JUDGE

Comparing Assistant