

GAHC010083172022



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

Case No. : MACApp./209/2022

SRI BERASWAR KONWAR AND 4 ORS
- S/O- LATE THANURAM KONWAR, R/O- VILL.- DAHALI, P.O. SILCHANG,
P.S. NELI, DIST.- MORIGAON, ASSAM

2: SMTI. PUNESWARI KONWAR
D/O- LATE THANURAM KONWAR
W/O- SRI MILON KONWAR
R/O- VILL.- DAHALI
P.O. SILCHANG
P.S. NELI
DIST.- MORIGAON
ASSAM.

3: SRI ARUN CH. KONWAR
S/O- LATE THANURAM KONWAR
PERMANENT R/O- VILL.- DAHALI
P.O. AND P.S. NELI
DIST.- MORIGAON
ASSAM AND PRESENTLY RESIDING AT BHUMURAGURI
P.O. AND P.S. JAGIROAD
DIST.- MORIGAON
ASSAM.

4: SMTI. BINA KONWAR
D/O- LATE THANURAM KONWAR
W/O- SRI ROMES KONWAR
R/O- VILL.- BARUKATA
P.O. MANAHA
P.S. MAYANG
DIST.- MORIGAON
ASSAM.

5: SRI PITSING KONWAR
S/O- LATE THANURAM KONWAR

R/O- VILL.- DAHALI
P.O. SILCHANG
P.S. NELI
DIST.- MORIGAON
ASSAM

VERSUS

SRI SANWAL MAL AND 2 ORS
S/O- SRI RAMESHWAR LAL, R/O- VILL.- ASHERA BIKANER, P.S. NAPASAR,
DIST.- BIKANER, STATE- RAJASTHAN, PIN- 334201. (DRIVER OF THE
TRUCK).

2:SRI RAJESH PRASAD
S/O- LATE LAKHANMAL PRASAD
R/O- GOLAGHAT ROAD
DIMAPUR
P.S. DIMAPUR EAST
DIST.- DIMAPUR
STATE- NAGALAND
PIN- 797112. (OWNER OF THE TRUCK).

3:THE NEW INDIA ASSURANCE COMPANY LIMITED

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

Advocate for the Petitioner : MR. R Deka

Advocate for the Respondent : MR. R GOSWAMI

**BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

ORDER

25.05.2022

Heard Mr. S.A. Akond, learned counsel representing the appellants as well as Mr. S. Dutta, learned counsel appearing for the respondent no. 3.

The appeal is admitted for hearing.

Issue Notice.

No formal notice need be issued on the respondent no. 3 as Mr. Dutta has accepted notice on their behalf. However, extra copies of the Memo of Appeal be furnished to him.

Appellant shall take steps for service of notice on the remaining respondents by registered post with A/D and other usual process.

Call for LCR.

List after 6 (six) weeks.

JUDGE

Comparing Assistant