

GAHC010083172022



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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, MS P MISHRA

Advocate for the Respondent : MR. R GOSWAMI, MR. S DUTTA,MS. P BORTHAKUR (R-3),MR.
R GOSWAMI (R-3)

BEFORE
HON'BLE MRS. JUSTICE MITALI THAKURIA

O R D E R

Date : 20.01.2026.

Heard Mr. S.I. Akand, the learned counsel for the appellant. Also heard Mr. S. Som, the learned counsel appearing on behalf of Mr. S. Dutta, learned counsel for the respondent No.3.

From the office noted dated 07.01.2026, it is seen that notice upon the respondent No.1 returned unserved with the postal remark 'insufficient address' and the notice upon the respondent No.2 is still awaited.

In view of the above, let service be awaited till the next date of listing.

However, on the submission made by the learned counsel for the petitioner, the appellant may file the track consignment report through an affidavit on the next date of listing.

List the matter after four (4) weeks.

JUDGE

Comparing Assistant