

GAHC010084712023



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

I.A.(Civil)/410/2026

NEW INDIA ASSURANCE CO. LTD.
HAVING ITS REGISTERED OFFICE AT NEW ASSURANCE BUILDING 87
MAHATMA GANDHI ROAD
MUMBAI AND ONE OF THE REGIONAL OFFICE AT G.S ROAD
BHANGAGARH
GUWAHATI 5
ASSAM

VERSUS

SABITA PATAR HAZARIKA AND 3 ORS. E
W/O LATE RATUL HAZARIKA RESIDENT OF VILLAGE KUJABORI
PS RAHA
DIST NAGAON
ASSAM 782103

2:NILUTPAL HAZARIKA
S/O LATE RATUL HAZARIKA
RESIDENT OF VILLAGE KUJABORI
PS RAHA
DIST NAGAON
ASSAM 782103

3:DHRUBAJYOTI BORAH
S/O LATE L. BORAH
C/O PUTUL NATH
RESIDENT OF VILLAGE KAMALABARI
HOUSE NO. 9
PS BASISTHA
DIST KAMRUP M ASSAM 781029

4:DHRUBAJYOTI BORAH
S/O LATE L. BORAH

RESIDENT OF VILLAGE SETALI
JAMUGURI
PS AND DIST NAGAON
ASSAM 782142

Advocate for : MR. K K BHATTA
Advocate for : MR. A R AGARWALA appearing for SABITA PATAR HAZARIKA
AND 3 ORS. E

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 27.02.2026

1. Heard learned Counsel Mr. K.K. Bhatta for the applicant and Mr. A. R. Agarwala, learned counsel representing the claimants.
2. This interlocutory application is filed with prayer to stay the operation of the judgment and award dated 07.12.2022 passed by the learned Member, MACT No.2, Kamrup in MAC case No. 517/2018.
3. The applicant is aggrieved by the aforesaid judgment and award as the driving license of the driver of offending vehicle was not valid at the time of accident. The prayer of the applicant to stay the operation of impugned judgment and award is allowed subject to the condition that the applicant deposits 50% of the compensation awarded to the claimant within 06(six) weeks from today before the Registry of this Court. The claimant No.1 is thereafter allowed to withdraw the deposited amount from the Registry of this Court subject to furnishing of indemnity bond after proper verification.
4. In terms of the above observation, this interlocutory application stands disposed of

JUDGE

Comparing Assistant