

GAHC010105822019



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

Case No. : MACApp. 347/2019

1:SMTI. BIMALA RABHA AND 2 ORS.
W/O- SRI SUBARNA RABHA, R/O- VILL.- THEKASHU PART-I, P.O. AND P.S.
DUDHNOI, DIST.- GOALPARA, ASSAM, PIN- 783124.

2: SRI SUBARNA RABHA
R/O- VILL.- THEKASHU PART-I
P.O. AND P.S. DUDHNOI
DIST.- GOALPARA
ASSAM
PIN- 783124.

3: SRI U. PRINCE RABHA
S/O- LATE MEGHA NATH RABHA
R/O- VILL.- THEKASHU PART-I
P.O. AND P.S. DUDHNOI
DIST.- GOALPARA
ASSAM
PIN- 783124. (CLAIMANT NO. 3 BEING MINOR
REP. BY HIS GRAND MOTHER I.E. SMT. BIMALA RABHA

VERSUS

1:M/S RELIANCE GENERAL INSURANCE CO. LTD AND 2 ORS
GUWAHATI OFFICE, ABC, G.S. ROAD, GUWAHATI-5.

2:SRI BIDUL RABHA
S/O- LATE KUSHAL RABHA
R/O- VILL.- THEKASHU UDAYPUR
P.S. AND P.O. DUDHNOI
DIST.- GOALPARA
ASSAM
PIN- 783124.

3:SRI RAKESH MONDAL

S/O- SRI DHIREN MONDAL
R/O- VILL.- THEKASHU PART-I
P.O. AND P.S. DUDHNOI
DIST.- GOALPARA
ASSAM
PIN- 783124

Advocate for the Petitioner : MR. S K GOSWAMI

Advocate for the Respondent :

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

Date : 16-07-2019

Heard Mr. S.K Goswami, learned counsel for the appellant, who submits that the Judgment dated 20.02.2019 passed by the MACT No. 1, Kamrup, in MAC Case No. 56/2016 should be interfered with, inasmuch as, as the learned Tribunal should have applied the multiplier as 17 (seventeen) instead of 16 (sixteen). He also submits that the learned Tribunal has not taken the income of the deceased as per the Income Tax returns, which has been exhibited.

Admit the appeal.

Call for the LCR.

Issue notice returnable in 4 (four) weeks.

Appellant to take steps for service of notice upon the respondents by registered post with A/D along with usual process within 3 (three) days.

List the matter **after 4 (four) weeks**.

JUDGE

Comparing Assistant