

GAHC010106092022



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

Case No. : MACApp./308/2022

AYNUL HAQUE
S/O LATE JAMALUDDIN

RESIDENT OF VILLAGE HELASA
KHUDRA DIMU
PS RANGIA
DIST KAMRUP R ASSAM

VERSUS

NATIONAL INSURANCE COMPANY LTD. AND 3 ORS.
HAVING ITS REGISTERED OFFICE AT 3 MIDDLETON STREET
PRAFULLA CHANDRA SEN SARNI
KOLKATTA
WEST BENGAL
70071 AND REGIONAL OFFICE AT GS ROAD
BHANGAGARH
GUWAHATI
KAMRUP M ASSAM

2:ON THE DEATH OF ANUPAM DAY HIS LEGAL REPRESENTATIVES
S/O GOPAL CHANDRA DEY
RESIDENT OF VILLAGE AMINGAON
PS NORTH GUWAHATI
KAMRUP R ASSAM
2.1:SMTI JOYA DEY
W/O LATE ANUPAM DEY
RESIDENTS OF VILLAGE AMINGAON

P S NORTH GUWAHATI DISTRICT KAMRUP
ASSAM
2.2:SHRI ARUP DEY
RESIDENTS OF VILLAGE AMINGAON

PS NORTH GUWAHATI

DISTRICT KAMRUP

ASSAM

3:SRI SONA RAM BARMAN
S/O DAYA RAM BARMAN
RESIDENT OF VILLAGE SINGIMARI
PO ROWMARI
PS HAJO
DIST KAMRUP R ASSAM

Advocate for : MS. M BORA

Advocate for : MR. R ALI appearing for NATIONAL INSURANCE COMPANY LTD.
AND 3 ORS.

BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA

ORDER

Date : 03.05.2024

Heard Mr. S. R. A. Naser, learned counsel for the appellant. Also heard Mr. K. K. Bhatta, learned counsel appearing on behalf of respondent No. 1 and Mr. S. Hussain, learned counsel appearing on behalf of respondent No. 3.

It is submitted by Mr. Naser, learned counsel for the appellant, that during the pendency of the present appeal, the respondent No. 2 already died and accordingly the prayer for substitution of the legal heirs of the respondent No. 2 was already allowed in the connected I.A.(Civil) No. 835/2023. And, in pursuant to the order passed in I.A.(Civil) No. 835/2023, the names of the legal heirs of the respondent No. 2 is also impleaded as respondent Nos. 2.1 & 2.2. Accordingly, he submitted that they may be allowed to take steps on respondent Nos. 2.1 & 2.2.

Prayer is allowed.

Accordingly, the appellant side is hereby directed to take steps for service of notice on respondent Nos. 2.1 & 2.2 by registered post with A/D as well as by usual process within a week from today.

List the matter after 4 (four) weeks.

JUDGE

Comparing Assistant