

GAHC010106472026



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

Case No. : I.A.(Civil)/1821/2026

UNITED INDIA INSURANCE CO. LTD.
HAVING ITS REGISTERED AND HEAD OFFICE AT 24
WHITES ROAD
CHENNAI- 600014 AND ONE OF THE REGIONAL OFFICE AT G.S. ROAD
DISPUR
GUWAHATI- 781005

VERSUS

PARINA BIBI AND 6 ORS.
W/O LATE KAZI SABDER ALI @ CHABDER ALI
R/O VILL- HONGSHABIL
P.O. AND P.S.- GOSAIGAON
DIST- KOKRAJHAR (BTC)
ASSAM
PIN- 783360

2:MD. KAZI ALIMUDDIN
S/O LATE KAZI SABDER ALI @ CHABDER ALI
R/O VILL- HONGSHABIL
P.O. AND P.S.- GOSAIGAON
DIST- KOKRAJHAR (BTC)
ASSAM
PIN- 783360

3:ASMA BEGUM
W/O SAHAB UDDIN AHMED
VILL- JAYPUR
P.O.- TULSIBIL
P.S.- GOSSAIGAON
DIST- KOKRAJHAR
BTC
ASSAM

PIN- 783337

4:SATTAR ALI
S/O MEHER ALI
R/O VILL- ASHARIKANDI
P.O.- KARTIMARI
P.S.- GOSSAIGON
DIST- KOKRAJHAR
BTC
ASSAM
PIN- 783337

5:THE BRANCH MANAGER
CHOLAMANDALAM M S GENERAL INSURANCE COMPANY LIMITED
AASTHA PLAZA
7TH FLOOR
G.S. ROAD
OPPOSITE TO S.B. DEORAH COLLEGE
ULUBARI
GUWAHATI
DIST- KAMRUP (M)
ASSAM
PIN- 781007

6:MOLIKON KHANAM
W/O IMANNUR HUSSAIN
R/O VILL- GOBARDHANPARA
P.S.- BILASIPARA
DIST- KAMRUP (M)
ASSAM
PIN- 783345

7:ROFIQUL ISLAM
S/O SOLEMAN ISLAM
R/O BAMUNITILA BAZAR
P.O. AND P.S.- DANGTAL
DIST- BONGAIGAON
ASSAM
PIN- 783380

Advocate for : MR. A J SAIKIA
Advocate for : appearing for PARINA BIBI AND 6 ORS.

Linked Case : **MACApp./287/2026**

UNITED INDIA INSURANCE CO. LTD.

HAVING ITS REGISTERED AND HEAD OFFICE AT 24, WHITES
ROAD, CHENNAI- 600014 AND ONE OF THE REGIONAL
OFFICE AT G.S. ROAD, DISPUR, GUWAHATI- 781005

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W/O LATE KAZI SABDER ALI @ CHABDER ALI, R/O VILL-
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KOKRAJHAR (BTC), ASSAM, PIN- 783360

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LIMITED
AASTHA PLAZA
7TH FLOOR
G.S. ROAD

OPPOSITE TO S.B. DEORAH COLLEGE
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GUWAHATI
DIST- KAMRUP (M)
ASSAM
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ASSAM
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7:ROFIQUL ISLAM
S/O SOLEMAN ISLAM
R/O BAMUNITILA BAZAR
P.O. AND P.S.- DANGTAL
DIST- BONGAIGAON
ASSAM
PIN- 78338

Advocate for the Petitioner : MR. A J SAIKIA, MR. S PEGU, M CHETIA

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

03.06.2026

Heard Mr. A. J. Saikia, learned counsel for the applicant.

2. This application, under Order 41, Rule 5, read with Section 151 of the Code of Civil Procedure, is preferred by the applicant/appellant for staying operation of the impugned Judgment and Award, dated 06.03.2026, passed by the learned Member, Motor Accident Claims Tribunal, Kokrajhar, Assam, in MAC Case No. 77/2021.

3. It is to be noted here that vide impugned Judgment and Award, dated

06.03.2026, the learned Tribunal has directed the applicant to pay a sum of Rs. 09,06,497/- to the opposite party No. 1 as compensation along with interest @ 7.5% per annum, from the date of filing of the claim petition, till realization.

4. Mr. Saikia, learned counsel for the applicant submits that the connected MAC appeal has already been admitted by this Court and the record has also been called for from the learned Tribunal and on such ground, there is a requirement for staying operation of the impugned Judgment and Award, dated 06.03.2026, till disposal of the connected MAC Appeal.

5. Taking note of the submission of the learned counsel for the applicant and also considering the facts and circumstances on record, this Court is inclined to stay the operation of the Judgment and Award, dated 06.03.2026.

6. Accordingly, it is provided that till disposal of the connected appeal, the Judgment and Award, dated 06.03.2026, passed by the learned Member, Motor Accident Claims Tribunal, Kokrajhar, Assam, in MAC Case No. 77/2021, stands stayed; subject, however, to the condition that the applicant/appellant shall deposit 50% of the awarded amount before the Registry of this Court.

7. In terms of the above, this interlocutory application stands disposed of.

JUDGE

Comparing Assistant