

GAHC010106552026



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

Case No. : I.A.(Civil)/1825/2026

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

MOSSTT. AMENA KHATUN AND 7 ORS.
W/O LATE SANDESH ALI @ SANDESH ALI
R/O VILL- BAMUNIGAON
P.O.- KARTIMARI
P.S.- GOSSAIGAON
DIST- KOKRAJHAR
ASSAM
PIN- 783337

2:AKHIRUL ISLAM
S/O LATE SANDESH ALI @ SANDESH ALI
R/O VILL- BAMUNIGAON
P.O.- KARTIMARI
P.S.- GOSSAIGAON
DIST- KOKRAJHAR
ASSAM
PIN- 783337 (BEING MINOR
REPRESENTED BY RESPONDENT NO. 1)

3:SARIFA BEGUM
D/O LATE SANDESH ALI @ SANDESH ALI

R/O VILL- BAMUNIGAON
P.O.- KARTIMARI
P.S.- GOSSAIGAON
DIST- KOKRAJHAR
ASSAM
PIN- 783337 (BEING MINOR
REPRESENTED BY RESPONDENT NO. 1)

4:MINARUL ALI
S/O LATE SANDESH ALI @ SANDESH ALI
R/O VILL- BAMUNIGAON
P.O.- KARTIMARI
P.S.- GOSSAIGAON
DIST- KOKRAJHAR
ASSAM
PIN- 783337 (BEING MINOR
REPRESENTED BY RESPONDENT NO. 1)

5:SAHAR BANU
D/O LATE ISMAIL ALI @ ISMAIL SHEIKH
R/O VILL- BAMUNIGAON
P.O.- KARTIMARI
P.S.- GOSSAIGAON
DIST- KOKRAJHAR
ASSAM
PIN- 783337

6:ASMA BEGUM
W/O SAHAB UDDIN AHMED
VILL- JAYPUR
P.O.- TULSIBIL
P.S.- GOSSAIGAON
DIST- KOKRAJHAR
BTC
ASSAM
PIN- 783337

7:THE 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

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

Advocate for : MR. A J SAIKIA
Advocate for : appearing for MOSSTT. AMENA KHATUN AND 7 ORS.

Linked Case :MACApp./289/2026

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

MOSSTT. AMENA KHATUN AND 7 ORS.
W/O LATE SANDESH ALI @ SANDESH ALI, R/O VILL-
BAMUNIGAON, P.O.- KARTIMARI, P.S.- GOSSAIGAON, DIST-
KOKRAJHAR, ASSAM, PIN- 783337

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R/O VILL- BAMUNIGAON
P.O.- KARTIMARI
P.S.- GOSSAIGAON
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R/O VILL- BAMUNIGAON
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P.S.- GOSSAIGAON
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S/O LATE SANDESH ALI @ SANDESH ALI
R/O VILL- BAMUNIGAON
P.O.- KARTIMARI
P.S.- GOSSAIGAON
DIST- KOKRAJHAR
ASSAM
PIN- 783337 (BEING MINOR
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D/O LATE ISMAIL ALI @ ISMAIL SHEIKH
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VILL- JAYPUR
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7:THE MANAGER
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LIMITED
AASTHA PLAZA
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OPPOSITE TO S.B. DEORAH COLLEGE
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GUWAHATI
DIST- KAMRUP (M)
ASSAM
PIN- 781007

8:MALIKON KHANAM
W/O IMANNUR HUSSAIN
R/O VILL- GOBARDHANPARA

P.S.- BILASIPARA
DIST- KAMRUP (M)
ASSAM
PIN- 78334

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. 25/2021.

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. 19,36,980/- 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. 25/2021, stands stayed; subject, however, to the condition that the applicant/appellant shall deposit 50% of the awarded amount before the Registry of this Court, within a period of four weeks.

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

JUDGE

Comparing Assistant