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

Case No. : MACApp./288/2026

UNITED INDIA INSURANCE COMPANY LIMITED
HAVING ITS REGISTERED OFFICE AT 24, WHITES ROAD, CHENNAI AND
ONE OF THE REGIONAL OFFICE AT G.S. ROAD, DISPUR, GUWAHATI-
781006, DIST- KAMRUP (M), ASSAM

VERSUS

SHAMBHU SINGH AND 2 ORS.
S/O H.A. SINGH, R/O PATARKUCHI LECHIA NAGAR, SHIVA PATH, P.O. AND
P.S.- BASISTHA, PIN- 781029, DIST- KAMRUP (M), ASSAM

2:DILIP KUMAR PATHAK
S/O LATE LABARAM PATHAK
R/O SUNDARIDIA
KALAYA HATI
P.O. AND P.S.- BARPETA
PIN- 781301
DIST- BARPETA
ASSAM

3:BIDYUT KR. PATHAK
S/O SRI DILIP KUMAR PATHAK
R/O SUNDARIDIA
KALAYA HATI
P.O. AND P.S.- BARPETA
PIN- 781301
DIST- BARPETA
ASSA

Advocate for the Petitioner : MR. K K BHATTA, P GOSWAMI

Advocate for the Respondent : MR. R GOSWAMI(R1), B DUTTA(R1)

Linked Case : I.A.(Civil)/1824/2026

UNITED INDIA INSURANCE COMPANY LIMITED
HAVING ITS REGISTERED OFFICE AT 24
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Advocate for : MR. K K BHATTA
Advocate for : appearing for SHAMBHU SINGH AND 2 ORS.

**BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN**

ORDER

03.06.2026

Heard Mr. K. K. Bhatta, learned counsel for the applicant and Mr. R. Goswami, learned counsel for the opposite party No. 1.

2. This application is preferred by the applicant/appellant for staying operation of the impugned Judgment and Award, dated 09.03.2026, passed by the learned Member, Motor Accident Claims Tribunal No. 1, Kamrup (M), Guwahati, in MAC Case No. 288/2026.

3. It is to be noted here that vide impugned Judgment and Award, dated 09.03.2026, the learned Tribunal has directed the applicant to pay a sum of Rs. 5,34,107/- to the opposite parties as compensation along with interest @ 6% per annum, from the date of filing of the claim petition, till realization.

4. Mr. Bhatta, 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 09.03.2026, till disposal of the connected MAC Appeal.

5. Mr. Goswami, learned counsel for the opposite party No. 1, however, submits that he has no objection in the event of allowing this interlocutory application, subject, however to depositing of 50% of the awarded amount by the appellant before the Registry of this Court and also to allow the opposite party No. 1/claimant to withdraw the same.

- 6.** Taking note of the submission of the learned counsel for both the parties and also considering the facts and circumstances on record, this Court is inclined to stay the operation of the Judgment and Award, dated 09.03.2026.
- 7.** Accordingly, it is provided that till disposal of the connected appeal, the Judgment and Award, dated 09.03.2026, passed by the learned Member, Motor Accident Claims Tribunal No. 1, Kamrup (M), Guwahati, in MAC Case No. 288/2026, stands stayed; subject, however, to the condition that the applicant/appellant shall deposit 50% of the awarded amount before the Registry of this Court. On such deposit being made, the opposite party No. 1 shall be at liberty to withdraw the same, subject, however, to furnishing of one indemnity bond.
- 8.** In terms of the above, this interlocutory application stands disposed of.

JUDGE

Comparing Assistant