

GAHC010108382026



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

**Case No. : MACApp./290/2026**

PRABHAT CHANDRA BAISHYA  
SON OF LATE NANDA RAM BAISHYA, RESIDENT OF VILL.- NIZ KHAGATA,  
P.O.- GHOGRAPAR, P.S.-NALBARI, DISTRICT- NALBARI, ASSAM

VERSUS

SMTI AKAN BAISHYA AND 5 ORS.  
WIFE OF SRI PRABHAT CHANDRA BAISHYA, RESIDENT OF VILL- NIZ  
KHAGATA, P.O.- GHOGRAPAR, P.S.- NALBARI, DIST- NALBARI, ASSAM,  
PIN- 781369

2:SMTI SANGITA BAISHYA  
WIFE OF LATE HITESWAR @ HITESHWAR BAISHYA  
RESIDENT OF VILL- NIZ KHAGATA  
P.O.- GHOGRAPAR  
P.S.- NALBARI  
DIST- NALBARI  
ASSAM  
PIN- 781369

3:MISS RITISHA BAISHYA  
DAUGHTER OF LATE HITESWAR @ HITESHWAR BAISHYA  
RESIDENT OF VILL- NIZ KHAGATA  
P.O.- GHOGRAPAR  
P.S.- NALBARI  
DIST- NALBARI  
ASSAM  
PIN- 781369

4:PRAMOD GIRI  
SON OF DAIBDEYAL GIRI  
RESIDENT OF BAKRAPARA

P.O. AND P.S.- BASISTHA  
DIST.- KAMRUP (M)  
ASSAM  
PIN-781029

5:BINOD KR GIRI  
SON OF D. D. GIRI  
RESIDENT OF CHAWALA MOTORS  
ANDAL MORE  
ANDAL  
BWN-713321

6:THE ORIENTAL INSURANCE COMPANY LIMITED  
REGIONAL OFFICE  
G.S. ROAD  
ULUBARI  
GUWAHATI- 781007  
DIST.-KAMRUP (M)  
ASSAM  
TO BE REPRESENTED BY ITS REGIONAL MANAGER

**Advocate for the Petitioner** : MR. A BHATTACHARYYA,

**Advocate for the Respondent** : ,

**BEFORE**  
**HONOURABLE MR. JUSTICE ROBIN PHUKAN**

**ORDER**

**03.06.2026**

Heard Mr. A. Bhattacharyya, learned counsel for the appellant and Mr. D. Dutta, learned counsel for the respondent No. 1.

This Appeal, under Section 173 of the MV Act, is directed against the Judgment and Award, dated 05.03.2026, passed by the learned Member, Motor Accident Claims Tribunal No. 2, Kamrup (M) at Guwahati, in MAC Case No. 1215/2019.

Perused the memo of appeal and the grounds mentioned therein and also

perused the impugned Judgment and Award, dated 05.03.2026.

Admit.

Issue Notice to the respondents, returnable in 4 (four) weeks.

However, no formal notice is required to be issued to the respondent No. 1, as Mr. Dutta has entered appearance and received notice. But, extra requisite copy of the appeal be furnished to him during the course of the day.

Steps be taken upon the respondent Nos. 2, 3, 4, 5 & 6 by speed post and also by usual process, within a week from today.

Registry shall call for the records from the learned Tribunal.

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

**JUDGE**

**Comparing Assistant**