

GAHC010111322025



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

Case No. : I.A.(Civil)/4185/2025

NATIONAL INSURANCE COMPANY LIMITED
HAVING ITS REGD. OFFICE AND HEAD OFFICE AT 3
MIDDLETON STREET
KOLKATA AND ITS REGIONAL OFFICE AT BHANGAGARH
G.S. ROAD
GUWAHATI-781005 REP BY THE CHIEF REGIONAL MANAGER
GUWAHATI REGIONAL OFFICE.

VERSUS

MANJU BEGUM
W/O. MD. SAMSUL HOQUE
R/O. VILL.- MOWAMARI
P/S. SAMAGURI
DIST. NAGAON
ASSAM-782140

2:SAFAR UDDIN
S/O. AHMED ALI
C/O. TALIL UDDIN BHETAPARA ROAD
NEAR MASJID
KAMRUP
ASSAM-781038.

3:JIABUR RAHMAN
S/O. JAINAL ABDIN
R/O. VILL. NO. 2 BHATIAKHALI
P/S. RUPAHIHAT
DIST. NAGAON
ASSAM-782125.

Advocate for : Tridib Kalita

Advocate for : appearing for MANJU BEGUM

In
MACApp. Case No. 604/2025

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

25.02.2026

[1] Heard Mr. T. Kalita, the learned counsel for the applicant.

[2] This interlocutory application has been filed under Order XLI Rule 5 of the Code of Civil Procedure, 1908 praying for stay of the execution of the judgment and order dated 27.01.2025, passed in MAC Case No. 379 of 2021 by the learned Motor Accident Claims Tribunal, Nagaon.

[3] The learned counsel for the applicant has submitted that the aforesaid judgment has been impugned by the applicant/insurance company in the connected MAC Case No. 604 of 2025.

[4] He submits that said appeal has been admitted and notices to the respondents have also been issued. He also submits that the applicant/insurance company is ready to deposit 50 % of the awarded amount as a condition for grant of stay to the execution of the impugned judgment.

[5] In view of the submissions made by the learned counsel for the applicant, the notice to respondents is hereby waived and this interlocutory application is allowed.

[6] The execution of the judgment and order dated 27.01.2025, passed in MAC Case No. 379 of 2021 by the learned Motor Accident Claims Tribunal, Nagaon shall remain stayed during the pendency of the connected MAC Case No. 604 of 2025, subject to deposit of 50% of the awarded amount by the insurance company to the Registry of this court, within a period of 6(six) weeks from the date of this order.

[7] This interlocutory application is accordingly disposed of.

JUDGE

Comparing Assistant