

GAHC010112852023



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

Case No. : MACApp./251/2025

NEW INDIA ASSURANCE COMPANY LTD.
A CENTRAL GOVT. UNDERTAKING HAVING ITS REGIONAL OFFICE AT
GUWAHATI, STARCITY COMPLEX, GS ROAD, LACHITNAGAR, GUWAHATI
781007, REPRESENTED BY THE MANAGER, GAUHATI REGIONAL
OFFICE, LACHIT NAGAR, GUWAHATI 781007

VERSUS

KRISHNA BORAH AND 3 ORS. A
W/O LATE BIJOY BORAH, RESIDENT OF NO. 1 LAZUM THERMAL ROAD,
PO AND PS MARGHERITA, DIST TINSUKIA, ASSAM 786181

2:SRI SUSHIL KALITA
S/O LATE DHARMESWAR KALITA
RESIDENT OF ST. JAMES SCHOOL MARGHERITA
PO AND PS MARGHERITA
DIST TINSUKIA
ASSAM 786181

3:SRI SUREN CHAW
S/O SRI CHAHARAI CHAW

RESIDENT OF SUKHANPUKHURI TINGRAI
PO TINGRAI
PS DIGBOI
DIST TINSUKIA
ASSAM 78617

Advocate for the Petitioner : MS. R D MOZUMDAR, MS. C MOZUMDAR, MR. S P SHARMA

Advocate for the Respondent : , MR. A BORO (R3)

**BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN**

ORDER

Date : 11.06.2025

Heard Mr. S.P. Sharma, learned counsel for the appellant. Also heard Mr. A. Boro, learned counsel for the respondent No. 3.

2. This appeal, under Section 173 of the M.V. Act, 1988, is directed against the judgment and award dated 06.01.2022, passed by the learned Addl. Member-1, Motor Accident Claims Tribunal, Margherita, in MACT Case No. 25/2014.

3. It is to be noted here that vide impugned judgment and award dated 06.01.2022, the learned Tribunal had directed the appellant herein to pay a sum of Rs. 17,48,248/- to the respondent No. 1 herein with interest @ 9% per annum from the date of filing of the claim petition till realisation.

4. Perused the memo of appeal and the grounds mentioned therein, and also perused the impugned judgment and award dated 06.01.2022.

5. Admit.

6. Let notice be issued to the respondents, returnable in four weeks.

7. As Mr. Boro, learned counsel appears and accepts notice on behalf of the respondent No. 3, no formal notice is required to be issued to the said respondent. However, extra copies of the memo of appeal be furnished to him during the course of the day.

8. Steps be taken upon the respondent Nos. 1, 2 and 4 by way of registered post with A/D as well as by usual process within a week from today.

9. Registry shall call for the record from the learned Tribunal.
10. List the matter after four weeks.

JUDGE

Comparing Assistant