

GAHC010113042024



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

Case No. : WP(C)/2950/2024

RATUL BORGOHAIN

S/O- LATE KIRTI CHANDRA BORGOHAIN, R/O- VILLAGE- WARD NO. 1,
CHANDRAPUR, BOKAJAN, P.O./P.S. BOKAJAN, DISTRICT- KARBI
ANGLONG, ASSAM, PIN- 782480

VERSUS

OFFICE OF THE INSURANCE OMBUDSMAN AND 5 ORS
GUWAHATI, REPRESENTED BY INSURANCE OMBUDSMAN, JEEVAN
NIVESH, 5TH FLOOR, NEAR PANBAZAR OVER BRIDGE, S.S ROAD, P.O.
PANBAZAR, GUWAHATI- 781001, KAMRUP (M), ASSAM

2:THE CHOLAMANDALAM MS GENERAL INSURANCE COMPANY LTD
REPRESENTED BY ITS MANAGING DIRECTOR HAVING ITS REGISTERED
HEAD OFFICE AT 2ND FLOOR
DARE HOUSE NO-2
NSC BOSE ROAD
CHENNAI- 600001
INDIA

3:THE MANAGING DIRECTOR
CHOLAMANDALAM MS GENERAL INSURANCE COMPANY LTD
2ND FLOOR
DARE HOUSE NO-2
NSC BOSE ROAD
CHENNAI- 600001
INDIA

4:THE CLAIM MANAGER
CHOLAMANDALAM MS GENERAL INSURANCE COMPANY LTD
2ND FLOOR
DARE HOUSE NO-2

NSC BOSE ROAD
CHENNAI- 600001
INDIA

5:THE BRANCH MANAGER
GUWAHATI BRANCH OFFICE
CHOLAMANDALAM MS GENERAL INSURANCE COMPANY LTD
AASTHA PLAZA
7TH FLOOR
G.S.ROAD
OPPOSITE S.B DEORAH COLLEGE
ULUBARI
P.O. ULUBARI
GUWAHATI- 781007
KAMRUP (M)
ASSAM

6:INSURANCE REGULATORY AND DEVELOPMENT AUTHORITY OF INDIA
REPRESENTED BY ITS CHAIRMAN
HAVING ITS REGISTERED OFFICE AT SY NO. 115/1
FINANCIAL DISTRICT NANAKRAMGUDA
GACHIBOWLI
HYDERABAD- 5003

Advocate for the Petitioner : MR B D DAS

Advocate for the Respondent : DY.S.G.I.

**BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA**

ORDER

07.06.2024

Heard Mr. B.D. Das, learned Senior Counsel for the petitioner, who submits that the petitioner's Truck No. AS-09-AC-7560 met with an accident on 26.10.2022, which was being driven by the petitioner himself. The petitioner's claim for Rs.19,96,148/- was repudiated by the Insurance Company. The Appellate Authority thereafter did not pass any award on the appeal filed by the petitioner, on the ground that the issue raised were criminal in nature and thus

could not be adjudicated.

Issue Notice returnable in 4 (four) weeks.

Petitioner to take steps for service of notice upon the respondents by registered post with AD within 3 (three) days.

List the matter after four weeks.

JUDGE

Comparing Assistant