

GAHC010037832021



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

MACApp./245/2020

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

VERSUS

JELEKHA KHATUN AND 8 ORS.
W/O- LATE ABDUR ROSHID
R/O- VILL.- HALDIBARI PT-II
P.S. MERERCHAR
DIST.- BONGAIGAON
ASSAM
PIN- 783384.

2:MD. DIDDLEQUE ALI
S/O- LATE DHONAI SK
R/O- VILL.- HALDIBARI PT-II
P.S. MERERCHAR
DIST.- BONGAIGAON
ASSAM
PIN- 783384.

3:MUSSTI. IMONA KHATUN
W/O- MD. SIDDIQUE ALI
R/O- VILL.- HALDIBARI PT-II
P.S. MERERCHAR
DIST.- BONGAIGAON
ASSAM
PIN- 783384.

4:MOHIBUR RAHMAN
S/O- ABDUL JABBAR

R/O- WARD NO. 4
MANGALDOI
P.O. AND P.S. MANGALDOI
DIST.- DARRANG
ASSAM
PIN- 784125. (OWNER OF THE VEHICLE NO. AS-19/6565 (BUS).
5:MOHIBUL HOQUE
S/O- PEEAR ALI
R/O- VILL.- DHULA
P.O. AND P.S. DHULA
DIST.- DARRANG
ASSAM
PIN- 784146. (DRIVER OF THE VEHICLE NO. AS-19/6565 (BUS).
6:THE CHIEF GENERAL MANAGER
ASEB
APDCL

BIDYUT BHAWAN
PALTAN BAZAR
GUWAHATI
ASSAM
PIN- 781001.
7:THE GENERAL MANAGER
ASEB
APDCL

DISTRICT ELECTRICITY BOARD
BONGAIGAON
ASSAM
PIN- 783380.
8:THE ASSTT. GENERAL MANAGER
ASEB
APDCL

DISTRICT ELECTRICITY BOARD
BONGAIGAON
ASSAM
PIN- 783380.
9:THE SUB-DIVISIONAL ENGINEER
ASEB
APDCL
SUB-DIVISIONAL ELECTRICITY BOARD
BIJNI
CHIRANG
BTAD
ASSAM
PIN- 783390.

Advocate for : MR. R GOSWAMI
Advocate for : MR. B K DAS appearing for JELEKHA KHATUN AND 8 ORS.

Linked Case : CO/3/2021

JELEKHA KHATUN AND 2 ORS.
W/O- LATE ABDUR ROSHID.

2: MD. SIDDIQUE ALI
S/O- LATE ABDUR ROSHID.

3: MUSTT. IMONA KHATUN
W/O- MD. SIDDIQUE ALI
ALL ARE RESIDENTS OF VILL.- HALDIBARI PART-II
P.S. MERERCHAR
DIST.- BONGAIGAON
ASSAM
PIN- 783384.
VERSUS

NATIONAL INSURANCE COMPANY LTD. AND 6 ORS.
HAVING ITS REGISTERED OFFICE AND HEAD OFFICE AT 3
MIDDLETON STREET KOLKATA AND REP. BY THE REGIONAL MANAGER
OF ITS REGIONAL OFFICE AT G.S. ROAD
BHANGAGARH
GUWAHATI- 781005.

2:MOHIBUR RAHMAN
S/O- ABDUL JABBAR
R/O- WARD NO. 4
MANGALDOI
P.O. AND P.S. MANGALDOI
DIST.- DARRANG
ASSAM
PIN- 784125.

3:MOHIBUL HOQUE
S/O- PEEAR ALI
R/O- VILL.- DHULA
P.O. AND P.S. DHULA
DIST.- DARRANG
ASSAM
PIN- 784146.

4:THE CHIEF GENERAL MANAGER
ASEB
APDCL

BIDYUT BHAWAN
PALTAN BAZAR

GUWAHATI
ASSAM
PIN- 781001.
5:THE GENERAL MANAGER
ASEB
APDCL

DISTRICT ELECTRICITY BOARD
BONGAIGAON
ASSAM
PIN- 783380.
6:THE ASSTT. GENERAL MANAGER
ASEB
APDCL

DISTRICT ELECTRICITY BOARD
BONGAIGAON
ASSAM
PIN- 783380.
7:THE SUB-DIVISIONAL ENGINEER
ASEB
APDCL
SUB-DIVISIONAL ELECTRICITY BOARD
BIJNI
CHIRANG
BTAD
ASSAM
PIN- 783390.

Advocate for : MR. M KHAN
Advocate for : SC
APDCL appearing for NATIONAL INSURANCE COMPANY LTD. AND 6 ORS.

BEFORE
HONOURABLE MR. JUSTICE PRASANTA KUMAR DEKA

ORDER

Date : 07-09-2021

Heard Mr. R. Goswami, learned counsel for the appellant and Mr. M. Khan learned counsel for cross objector in CO 3/2021.

Ms. R. Deka, learned counsel for APDCL submits that copy of appeal

memo has not been received by her. In view of the same Mr. Goswami shall supply the appeal memo to Ms. Deka, learned counsel for the APDCL. Mr. Khan is also directed to furnish a copy of the Cross Objection (C.O) to Ms. Deka.

On perusal of the office note dated 15.3.2021, it is found that the service on the respondent No. 5 is yet to be completed though LCR has been received.

As per Process Server's report notice could not be served due to insufficient address. On the other hand A/D card in respect of respondent No. 5 is yet to be received by Registry.

In view of the same, Mr. Goswami sought leave to take steps by substituted manner by publishing notice in one highly circulated vernacular Newspaper of the locality where the respondent No. 5 resides.

Leave is granted.

Steps within a period of ten days from today thereby fixing the next date for appearance of the respondent No. 5 on 2.11.2021.

JUDGE

Comparing Assistant