

GAHC010117872020



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

Case No. : 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:MUSSTT. 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 the Petitioner : MR. R GOSWAMI

Advocate for the Respondent : MR. B K DAS

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 NANI TAGIA**

ORDER

Date : 12.11.2021

Heard Ms. P. Borthakur, learned counsel for the appellant/ Insurance Company.

None has appeared on behalf of respondent No. 4 though the name of Mr. B. K. Das, learned counsel, has been shown in the Cause List. However, Mr. R. Borah, learned counsel, and Mr. R. Islam, learned counsel, have appeared on behalf of their respective respondents.

An affidavit, dated 03.11.2021, has been filed by the appellant/Insurance Company, enclosing the newspaper publication made in 'Amar Axom' dated 01.10.2021, for service of notice on respondent No. 5 in terms of this Court's order, dated 07.09.2021. In view thereof, the notice on respondent No. 5 is deemed to be complete.

As all the parties are represented and connected LCRs have also been received, list this matter for hearing in usual course.

JUDGE

Comparing Assistant