

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. DIDDIQUE 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, MS. P BORTHAKUR

Advocate for the Respondent : MR. B K DAS, MR. M KHAN,MR. J RAHMAN,MR R ISLAM

Linked Case : MACApp./230/2020

NATIONAL INSURANCE COMPANY LIMITED
HAVING ITS REGISTERED OFFICE AND HEAD OFFICE AT 3
MIDDLETON STREET KOLKATA AND REPRESENTED BY THE CHIEF
REGIONAL MANAGER OF ITS REGIONAL OFFICE AT GS ROAD
BHANGAGARH
GUWAHATI

VERSUS

MUSTT. BULBULI KHATUN AND 6 ORS
W/O AYNAL HOQUE.
RESIDENT OF VILLAGE TOGAON
PS MERERCHAR
DIST BONGAIGAON
ASSAM
783384

2:MOHIBUR RAHMAN
S/O ABDUL JABBAR

RESIDENT OF WARD NO 4
MANGALDAI
PO AND PS MANGALDAI
DIST DARRANG
ASSAM 784125
OWNER OF THE VEHICLE NO. AS 19/6565(BUS)

3:MOHIBUL HOQUE
S/LO PEEAR ALI
RESIDENT OF VILLAGE DHULA
PO AND PS DHULA
DIST DARRANG
ASSAM 784146
DRIVER OF THE VEHICLE NO. AS-19-6565 (BUS)

4:THE CHIEF GENERAL MANAGER
ASEB

APDCL
BIDYUT BHAWAN PALTAN BAZAR
GUWAHATI ASSAM 781001

5:THE GENERAL MANAGER
ASEB APDCL
DISTRICT ELECTRICITY BOARD
BONGAIGAON
ASSAM 783380

6:THE ASSISTANT GENERAL MANAGER
ASEB
APDCL
DISTRICT ELECTRICITY BOARD
BONGAIGAON
ASSAM 783380

7:THE SUB DIVISIONAL ENGINEER
ASEB APDCL
SUB DIVISIONAL ELECTRICITY BOARD
BIJNI

CHIRANG
BTAD
ASSAM 783390

Advocate for : MR. R GOSWAMI
Advocate for : MR. A BURAGOHAIN appearing for MUSTT. BULBULI KHATUN
AND 6 ORS

Linked Case : MACApp./231/2020

NATIONAL INSURANCE COMPANY LIMITED
HAVING ITS REGD. 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

MUSSTT. MAJEDA KHATUN AND 6 ORS
W/O- LT. GIAS UDDIN
R/O VILL.- TOPGAON

P.S.- MERERCHAR
DIST.- BONGAIGAON
ASSAM
PIN- 783384.

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

3:MOHIBUL HOQUE
S/O- PEEAR ALI
R/O VILL.
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
DIST.- ELECTRICITY BOARD
BONGAIGAON
ASSAM
PIN- 783380.

6:THE ASSTT. GENERAL MANAGER
ASEB
APDCL
DIST. 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. R GOSWAMI
Advocate for : MR. B K DAS appearing for MUSSTT. MAJEDA KHATUN AND 6
ORS

Linked Case : MACApp./204/2020

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

VERSUS

JOHURUL ISLAM AND 8 ORS
S/O- CHANDU PARAMANIK
R/O- VILL- HALDIBARI PT II
P.S- MERERCHAR
DIST- BONGAIGAON
ASSAM
PIN- 783384

2: JAKIR HUSSAIN
S/O- JOHURUL ISLAM
R/O- VILL- HALDIBARI PT II
P.S- MERERCHAR
DIST- BONGAIGAON
ASSAM
PIN- 783384

3: JEBI AHMED
S/O- JOHURUL ISLAM
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
DIST- DARRANG
ASSAM
PIN- 784125

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

6:THE CHIEF GM
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 GM
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 JOHURUL ISLAM AND 8 ORS

Linked Case : MACApp./227/2020

NATIONAL INSURANCE COMPANY LIMITED
HAVING ITS REGD. OFFICE AND HEAD OFFICE AT 3
MIDDLETON STREET
KOLKATA AND REP. BY THE CHIEF REGIONAL MANAGER OF ITS
REGIONAL OFFICE AT G.S. ROAD
BHANGAGARH
GHY- 5.

VERSUS

MUSTT. SONA BHANU AND 6 ORS
W/O- NUR ISLAM
R/O VILL.- HALDIBARI PT- II
P.S.- MERERCHAR
DIST.- BONGAIGAON
ASSAM
PIN- 783384.

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

3:MOHIBUL HOQUE
S/O- PEEAR ALI
R/O VILL.
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. R GOSWAMI
Advocate for : MRS R DEKA appearing for MUSTT. SONA BHANU AND 6 ORS

Linked Case : MACApp./225/2020

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
GHY- 5.

VERSUS

MUSSTT. MAJEDA KHATUN AND 10 ORS
W/O- LT. GIAS UDDIN
R/O VILL.- HALDIBARI PT- II
P.S.- MERERCHAR
DIST.- BONGAIGAON
ASSAM
PIN- 783384.

2:JESMINA KHATUN
D/O- LT. GIAS UDDIN
R/O VILL.- HALDIBARI PT- II
P.S.- MERERCHAR
DIST.- BONGAIGAON
ASSAM
PIN- 783384.

3:MOFIDUL ISLAM
S/O- LT. GIAS UDDIN
R/O VILL.- HALDIBARI PT- II
P.S.- MERERCHAR
DIST.- BONGAIGAON
ASSAM
PIN- 783384.

4:MAZIDUL ISLAM
S/O- LT. GIAS UDDIN
R/O VILL.- HALDIBARI PT- II
P.S.- MERERCHAR
DIST.- BONGAIGAON
ASSAM
PIN- 783384.

5:MUSTT. CHAKINA KHATUN
W/O- LT. KASEM ALI
R/O VILL.- HALDIBARI PT- II
P.S.- MERERCHAR
DIST.- BONGAIGAON
ASSAM
PIN- 783384.

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

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

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

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

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

11: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 MUSSTT. MAJEDA KHATUN AND 10
ORS

Linked Case : MACApp./255/2020

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

VERSUS

MUSTT. MOZIRAN NESSA AND 7 ORS (E)
W/O TAYEB ALI
R/O VILL. HALDIBARI PT-II
P.S. MERERCHAR
DIST. BONGAIGAON
ASSAM
PIN 783384

2:TAYEB ALI
S/O LATE SON ULLAH
R/O VILL. HALDIBARI PT-II
P.S. MERERCHAR
DIST. BONGAIGAON
ASSAM
PIN 783384

3:MOHIBUR RAHMAN
S/O ABDUL JABBAR
R/O W/NO. 4
MANGALDOI
P.O. MANGALDOI
P.S.MANGALDOI
DIST. DARANG
ASSAM
PIN 784125

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

5:THE CHIEF GENERAL MANAGER
ASEB
APDCL
BIDYUT BHAWAN
PALTAN BAZAR
GUWAHATI
ASSAM
PIN 781001

6:THE GENERAL MANAGER
DIST. ELECTRICITY BOARD
BONGAIGAON
ASSAM
PIN 783380

7:THE ASSTT. GENERAL MANAGER
ASEB
APDCL
DIST. ELECTRICITY BOARD
BONGAIGAON
ASSAM
PIN 783380

8: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 MUSTT. MOZIRAN NESSA AND 7 ORS
(E)

**BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA**

ORDER

Date : 17.02.2026

- 1.** Heard Ms. P. Borthakur, learned counsel for the appellant. Also heard Ms. J. Aktar, learned counsel for the claimant/respondent and Mr. B. K. Das, learned counsel for the respondent Nos. 7 and 8 as well as Mr. B. Das, learned counsel for the APDCL.
- 2.** The learned counsel for the appellant submits that since the appellant is taken a plea in all these appeal regarding denial of their liability to compensate the respondents, hence, she submits that this is not a fit case to be referred to mediation and it required adjudication by the Court after hearing.
- 3.** The learned counsel for the respondents also agrees to the same.
- 4.** Hence, this Court is of view that the aforesaid appeals are not fit to be referred for mediation.
- 5.** Accordingly, list this matter for hearing after four weeks on a date to be fixed by the Registry.

JUDGE

Comparing Assistant