

GAHC010124392020



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

Case No. : MACApp. 223/2020

1:ORIENTAL INSURANCE COMPANY LIMITED
A COMPANY REGISTERED AND INCORPORATED UNDER THE COMPANIES
ACT, 1956, HAVING ITS REGISTERED OFFICE AT ORIENTAL HOUSE, A-25/27
ASAF ALI ROAD, NEW DELHI-2 WITH ONE OF ITS REGIONAL OFFICE AT
G.S. ROAD, ULUBARI, GUWAHATI-7, REP. BY ITS REGIONAL MANAGER.

VERSUS

1:BHANITA RABHA AND 3 ORS.
W/O- LATE SAMAR RABHA, R/O- VILL.- 2 NO. SAKATI, P.O. AND P.S. BOKO,
DIST.- KAMRUP, ASSAM, PIN- 781123.

2:KUKHILOBO RABHA
S/O- LATE SAMAR RABHA
R/O- VILL.- 2 NO. SAKATI
P.O. AND P.S. BOKO
DIST.- KAMRUP
ASSAM
PIN- 781123.

3:SMTI. GUNGUN RABHA
D/O- LATE SAMAR RABHA
R/O- VILL.- 2 NO. SAKATI
P.O. AND P.S. BOKO
DIST.- KAMRUP
ASSAM
PIN- 781123. (THE RESPONDENTS NO. 2 AND R3 ARE THE MINOR SON AND
DAUGHTER AND THEY ARE REP. BY THEIR MOTHER
THE RESPONDENT NO. 1.)

4:RITU PARNA PHUKAN
S/O- LATE AMULYA KUMAR PHUKAN
R/O- VILL.- MILON NAGAR

P.O. AND P.S.- NAHARKATIA
DIST.- DIBRUGARH
ASSAM
PIN- 786610

Advocate for the Petitioner : MR. R C PAUL
Advocate for the Respondent :

BEFORE
HONOURABLE MRS. JUSTICE RUMI KUMARI PHUKAN

ORDER

Date : 19-10-2020

Heard Mr. RC Paul, learned counsel for the appellant.

It is the plea of the appellant that the Insurance Company has no liability to pay as the vehicle was a private one and it is a violation of policy condition.

Appeal is admitted for hearing.

Issue notice to the respondents by registered post with A/D and usual process, returnable by six weeks.

Call for the LCR.

JUDGE

Comparing Assistant