

GAHC010126832022



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

Case No. : I.A.(Civil)/1870/2022

SMTI. PARUL KOCH
W/O- SRI BIREN KOCH (BORA), R/O- VILL.- BHETIONI, P.O. AND P.S.
BATADRAVA, DIST.- NAGAON, ASSAM, PIN- 782122.

VERSUS

ORIENTAL INSURANCE COMPANY LTD. AND 2 ORS.
A COMPANY REGISTERED UNDER THE COMPANIES ACT, 1956,
REPRESENTED BY ITS REGIONAL MANAGER, ULUBARI, GUWAHATI- 7.

2:SAHAB UDDIN

S/O LATE ABDUL MAZID
R/O- VILL.- DHUPAGURIGAON
P.O. DHUPAGURI
P.S. DHING
DIST.- NAGAON
ASSAM
PIN- 782123.

3:MD. ABDUL ALI

S/O- ABDUL RAHMAN
R/O- VILL. AND P.O. SHIMALUGURI
P.S. SADAR
DIST.- NAGAON
ASSAM
PIN- 782125

Advocate for the Petitioner : MR. K R PATGIRI, MS. U HAZARIKA

Advocate for the Respondent : ,

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

ORDER

Date : 02.04.2026

- 1.** Heard Mr. K. R. Patgiri, learned counsel for the applicant.
- 2.** On perusal of the records, it appears that the applicant has filed an affidavit in compliance regarding service of notice by way of *dasti* mode on the respondent No. 1 i.e., Oriental Insurance Company Limited.
- 3.** On perusal of the copy of notice annexed along with the affidavit, it bears illegible signatures and seal of the respondent No. 1.
- 4.** In view of the said affidavit, the notice upon the respondent No. 1 is held to be duly served.
- 5.** Since, the connected MAC appeal has already been disposed of by order dated 11.09.2021, passed in MAC Appeal No. 411/2019, notice to other respondents are hereby waived.
- 6.** This interlocutory application has been filed by the claimant/applicant praying for allowing her to withdraw the 50% of the awarded amount i.e., Rs.5,34,800/- which was deposited by the Insurance Company before the Registry of this Court on 21.08.2019 in pursuant to the order passed in I.A.(C) No. 2632/2019 on 07.08.2019.
- 7.** It appears that the connected appeal was amicably settled between the parties i.e., the present applicant and the Insurance Company and an order to that fact was passed by the co-ordinate Bench of this court on 11.09.2021 in MAC Appeal No. 411/2019 whereby the Insurance Company was directed to

deposit the balance amount of Rs.5,34,800/- only before the Registry of this court.

8. It appears from record that in pursuant to the order dated 07.08.2019 passed by this court in I.A.(C) No. 2632/2019 in connection with MAC Appeal No. 411/2019, the aforesaid amount of Rs.5,34,800/-has already been deposited by the Insurance company before the Registry of this court on 26.08.2019.

9. Accordingly, since the claimant is entitled to get the aforesaid amount, the Registry is directed to disburse the said amount to the claimant/applicant after proper verification.

10. This interlocutory application is accordingly disposed of.

JUDGE

Comparing Assistant