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

Case No. : I.A.(Civil)/2006/2025

M/S UNITED INDIA INSURANCE COMPANY LTD
REGIONAL OFFICE
G.S. ROAD
GUWAHATI-5
REP BY THE CHIEF REGIONAL MANAGER

VERSUS

DANSWRANG BASUMATARY AND ANR.
/O. NILESWAR BASUMATARY
VILL.- KHARUAJAN
P/S. BARAMA
DIST. BAKSA
BTAD
ASSAM
PIN-781346. REP. BY HIS FATHER SRI NILESWAR BASUMATARY

2:DETSUNG BORO
S/O. HANARAM BORO
VILL.- KHARUAJAN
P/S. BARARNA
DIST. BAKSA
BATD
ASSAM

Advocate for : L DEKA
Advocate for : appearing for DANSWRANG BASUMATARY AND ANR.

**BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN
ORDER**

20.06.2025

Heard Mr. M. Dutta, learned counsel for the applicant and Ms. N.A. Begum, learned counsel for the opposite party No. 1.

2. This interlocutory application is preferred by the applicant for staying the operation of Judgment and Award dated 17.02.2025, passed by the learned Member, M.A.C.T. No. 2, Kamrup (M) at Guwahati, in M.A.C. Case No. 2079/2021, registered under Section 166 of the M.V. Act.

3. It is to be noted here that vide impugned Judgment and Award dated 17.02.2025, the learned tribunal has directed the appellant insurance company to pay a sum of Rs. 17,23,360.50/- to the respondent No. 1 being the compensation.

4. Mr. Dutta, learned counsel for the applicant submits that the applicant has preferred an appeal being, M.A.C. Appeal No. 269/2025 and the same has already been admitted by this court and the record has also been called for. Mr. Dutta further submits that the applicant is ready to deposit 50% of the awarded amount before the registry of this court and therefore, it is contended to stay the operation of Judgment and Award dated 17.02.2025, passed by the learned tribunal, in M.A.C. Case No. 2079/2021, registered under Section 166 of the M.V. Act.

5. Having considered the submission of Mr. Dutta, learned counsel for the applicant and also considering the facts and circumstances on the record, this court is inclined to stay the operation of Judgment and Award dated

17.02.2025, passed by the learned tribunal, in M.A.C. Case No. 2079/2021.

6. Accordingly, it is provided that till disposal of the connected appeal, i.e. M.A.C. Appeal No. 269/2025, the operation of Judgment and Award dated 17.02.2025, passed by the learned tribunal, in M.A.C. Case No. 2079/2021, stands **stayed**, subject to the condition that the applicant shall deposit 50% of the awarded amount before the registry of this court, within a period of 4 (four) weeks from today.

7. In terms of above, this I.A. stands disposed of.

Comparing Assistant

JUDGE