

GAHC010133762025



undefined

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

Case No. : I.A.(Civil)/628/2026

THE ORIENTAL INSURANCE CO.LTD.
A CO. REGISTERED UNDER THE COMPANIES ACT
REPRESENTED BY ITS REGIONAL MANAGER
ULUBARI
GUWAHATI 7
DIST. KAMRUP (M)
ASSAM.

VERSUS

ALEKJAN BIBI AND ORS
W/O LATE SAIDUL HAQUE

2:MD UMAR ALI

S/O LATE SAIDUL HAQUE

3:MD APSHER ALI
S/O LATE SAIDUL HAQUE

4:AIMAN NESSA BIBI
S/O LATE SAIDUL HAQUE
ALL ARE R/O VILL. BIHAPARA
P.O. BIHAPARA
DIST. BAKSA (BTAD)
ASSAM
PIN 781365 (THE RESPONDENT NOS 2
3 AND 4 ARE REPRESENTED BY THE RESPONDENT NO 1)

5:MD HASEM ALI
S/O LATE KHOWASUDDIN ALI
R/O C/O F AHMED

VILL. DHULABARI
P.O. DEULKUCHI
RANGIA
GUWAHATI
DIST. KAMRUP
ASSAM
PIN 781354

6:MD NIJAM ALI

S/O MD. MAJNUR ALI
R/O VILL. MADHUKATA
P.O. DHEPARGAON
DIST. KAMRUP
ASSAM
PIN 781354

Advocate for : MR. S K GOSWAMI
Advocate for : appearing for ALEKJAN BIBI AND ORS

In

MACApp./81/2026

THE ORIENTAL INSURANCE CO. LTD.
A COMPANY REGISTERED UNDER THE COMPANIES ACT
REPRESENTED BY ITS REGIONAL MANAGER, ULUBARI,
GUWAHATI 7, DIST. KAMRUP (M), ASSAM.

VERSUS

ALEKJAN BIBI AND ORS
W/O LATE SAIDUL HAQUE

2:MD UMAR ALI

S/O LATE SAIDUL HAQUE

3:MD APSHER ALI
S/O LATE SAIDUL HAQUE

4:AIMAN NESSA BIBI
S/O LATE SAIDUL HAQUE
ALL ARE R/O VILL. BIHAPARA
P.O. BIHAPARA

DIST. BAKSA (BTAD)
ASSAM
PIN 781365 (THE RESPONDENT NOS 2
3 AND 4 ARE REPRESENTED BY THE RESPONDENT NO 1)

5:MD HASEM ALI
S/O LATE KHOWASUDDIN ALI
R/O C/O F AHMED
VILL. DHULABARI
P.O. DEULKUCHI
RANGIA
GUWAHATI
DIST. KAMRUP
ASSAM
PIN 781354

6:MD NIJAM ALI

S/O MD. MAJNUR ALI
R/O VILL. MADHUKATA
P.O. DHEPARGAON
DIST. KAMRUP
ASSAM
PIN 78135

Advocate for the Petitioner : MR. S K GOSWAMI, MR. R SHARMA

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

27.02.2026

[1] Heard Mr. S. Sharma, the learned counsel for the applicant.

[2] This interlocutory application has been filed by the applicant/insurance company in connection with MAC Case No. 81/2026, praying for stay of execution of judgment and award dated 04.04.2025, passed by the learned Member, Motor Accident Claims Tribunal No. 2, Kamrup(M), Guwahati, in MAC Case No. 1370/2018.

[3] The learned counsel for the applicant has submitted that the aforesaid judgment has been impugned by the applicant in the connected appeal.

[4] He also submits that said appeal has been admitted and notice has been issued to the respondents.

[5] He also submits that the respondents are ready to deposit 50 % of the awarded amount as a condition for grant of stay to the execution of the impugned judgment and award.

[6] Considering the submissions made by the learned counsel for the applicant, notice to respondents is waived and the prayer made by the applicant is allowed.

[7] The execution of judgment and award dated 04.04.2025, passed by the learned Member, Motor Accident Claims Tribunal No. 2, Kamrup(M), Guwahati, in MAC Case No. 1370/2018 shall remain stayed during the pendency of the connected MAC Case No. 81/2026, subject to deposit of 50% of the awarded amount before the Registry of this court within a period of 6(six) weeks from the date of this order.

[8] This interlocutory application is accordingly disposed of.

JUDGE