

GAHC010134612023



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

Case No. : MACApp./249/2023

NATIONAL INSURANCE COMPANY LTD.
HAVING ITS REGISTERED OFFICE AND HEAD OFFICE AT 3, MIDDLETON
STREET, KOLKATA AND ITS REGIONAL OFFICE AT BHANGAGARH, GS
ROAD, GUWAHATI 781005 REPRESENTED BY THE CHIEF REGIONAL
MANAGER, GUWAHATI REGIONAL OFFICE,

VERSUS

HORBI KHYLLAIT AND 3 ORS.
W/O SRI ROSMEL KHARTHNGMAW,
MOTHER OF LATE DROKEN KHYLLAIT,
PERMANENT RESIDENT OF VILLAGE NONGLYPUT, PO MAIRANG, PS
MAIRANG, DIST WEST KHASI HILLS, MEGHALAYA, 793120
RESIDENT OF (AT THE TIME OF ACCIDENT) C/O SWAL KHASIA, SON OF
LATE HELEN KHASIA, VILLAGE RATACHERRA ,PO AND PS KATIGORAH,
DIST CACHAR, ASSAM 788805

2:SRI ROSMEL KHARTHNGMAW

S/O HILIMAI KHYLLAIT

PERMANENT RESIDENT OF VILLAGE NONGLYPUT
PO MAIRANG
PS MAIRANG
DIST WEST KHASI HILLS
MEGHALAYA
793120
RESIDENT OF (AT THE TIME OF ACCIDENT) C/O SWAL KHASIA
SON OF LATE HELEN KHASIA
VILLAGE RATACHERRA
PO AND PS KATIGORAH
DIST CACHAR
ASSAM 788805

3:SMTI. BERNADEEN MARWEIN
W/O MR. A. SHULLAI

RESIDENT OF VILLAGE LOWER MOPREM
LUMSOHPOH
SHILLONG
DIST EAST KHASI HILLS
MEGHALAYA 793002

4:SRI JOHN WAYNE NONGLESEH
S/O LATE KOSTELY NONGLESH
PO UMSNING
PS NONGPOH
DIST RI BHOI
MEGHALAYA
79310

Advocate for the Petitioner : MR T KALITA

Advocate for the Respondent :

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

ORDER

Date : 12.09.2023

Heard Mr. T. Kalita, learned counsel for the appellant.

This appeal has been filed under Section 173 of the Motor Vehicles Act, 1988 by the appellant impugning the judgment and order dated 18.03.2023 passed by the learned Member, Motor Accident Claims Tribunal, Cachar, Silchar in MAC Case No. 114/2012 directing the present appellant to pay a compensation amount of Rs.10,20,000/- (Rupees Ten Lakhs Twenty Thousand) to the claimant/respondents No. 1 and 2.

Appeal is admitted.

Issue notice to the respondents.

The appellant shall take steps for issuance of notice to the respondents by

registered post with A/D within three days from the date of this order, returnable after three weeks.

List this matter after three weeks.

JUDGE

Comparing Assistant