

GAHC010136652022



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

Case No. : MACApp./721/2022

NATIONAL INSURANCE COMPANY LTD.
REGISTERED HEAD OFFICE AT 3 MIDDLETON STREET, CALCUTTA 700071
REPRESENTED BY THE ASSISTANT MANAGER, GAUHATI REGIONAL
OFFICE, BHANGAGARH, GUWAHATI 781005

VERSUS

ON THE DEATH OF IKBAL AHMED AND ORS. H
S/O JAMAL UDDIN AHMED, RESIDENT OF VILLAGE DOTURI, DIST
CHIRANG, BTAD, ASSAM, 783390

1.1:JAMAL UDDIN AHMED
FATHER

1.2:JUBEN NESSA AHMED
MOTHER

1.3:DOLI AGARWALA
WIFE

1.4:REHMAN AHMED
SON (MINOR)
ALL ARE RESIDENTS OF VILLAGE DOTURI
P.O. KAWATIKA
DIST. CHIRANG BTAD
ASSAM

2:MAFIDUL ISLAM
S/O ALIF ALI

RESIDENT OF VILLAGE NO. 1 JAMDOHA
PO GERUKABARI

PS MANIKPUR
DIST BONGAIGAON
ASSAM 783390

3:ALTAP HUSSAIN
S/O LATE NOBAB ALI

RESIDENT OF VILLAGE NO. 2 JAMDOHA
PO GERUKABARI
PS MANIKPUR
DIST BONGAIGAON
ASSAM 78339

Advocate for the Petitioner : MS R D MAZUMDAR, MS. C MOZUMDAR,MR. S P SHARMA

Advocate for the Respondent : MR. K R PATGIRI, MS K BARMAN(R-3),MS CHITRALEKHA DAS (R-3),MR. M KHAN,MS CHITRALEKHA DAS,MS. U HAZARIKA,MS K BARMAN

With
CO Case No. 51/2022
In
MACApp. Case No. 721/2022
With
I.A.(Civil) Case No. 3826/2022
In
MACApp. Case No. 721/2022

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

16.02.2026

[1] Heard Mr. M. Khan, the learned counsel for the respondent in MACApp. Case No. 721/2022 as well as cross objector in cross-objection No. 51/2022. Also heard Ms. R.D. Mozumdar, the learned counsel for the appellant in MACApp. Case No. 721/2022 as well as respondent in the cross-objection filed by the claimant.

[2] The learned counsel for both sides have submitted that since disputed questions of facts as well as question of law raised by the insurance company is involved in this case, this may not be a fit case to be referred to Mediation.

[3] Considering the submissions made by the learned counsel for the parties, let this matter be listed for hearing on a date to be fixed by the Registry.

JUDGE

Comparing Assistant