

GAHC010138222024



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

Case No. : MACApp./359/2024

NATIONAL INSURANCE COMPANY LIMITED
HAVING ITS REGISTERED AND HEAD OFFICE AT 3 MIDDLETON STREET,
KOLKATA 700071 AND ONE OF THE REGIONAL OFFICES AT M.S.S. PATH,
BHANGAGARG, GUWAHATI- 781005.

VERSUS

DHANANJAY SARKAR AND 3 ORS.
S/O LATE SARUP SARKAR,
R/O DEBI THAKURBARI SARIAM BANIYAPARA, KUKURJAN, P.S.-
RAJGANJ, DIST.- JALPAIGURI, WEST BENGAL, PIN- 735133.

2:CHANDANA SARKAR
W/O DHANANJAY SARKAR

R/O DEBI THAKURBARI SARIAM BANIYAPARA
KUKURJAN
P.S.- RAJGANJ
DIST.- JALPAIGURI
WEST BENGAL
PIN- 735133.

3:HRISHIKESH SARMA
S/O LATE HEM KANTA SARMA

R/O K. AHMED ROAD
FAUZDARIPATTY
P.O. AND P.S.- NAGAON SADAR
DIST.- NAGAON
ASSAM
PIN-782001.

4:IFFCO TOKIO GENERAL INSURANCE COMPANY LIMITED
ADITYA TOWER

1-B
1ST FLOOR
GS ROAD
DISPUR
GUWAHATI KAMRUP (M)
ASSAM
PIN- 781006

Advocate for the Petitioner : MR. A J SAIKIA, M CHETIA

Advocate for the Respondent : FOR CAVEATOR, MS. P BORTHAKUR(R-4),MR. R GOSWAMI (R-4),MS. T KALITA(R-3),MR. R J DAS (R-3),MRS S SAIKIA(R-3),MS P SARMA,K U AHMED

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 19.12.2024

Heard Mr. A.J. Saikia, learned counsel for the appellant. Also heard Mr. K.U. Ahmed, learned counsel for the respondent Nos. 1 and 2; Ms. S. Saikia, learned counsel for the respondent No. 3 and Ms. P. Borthakur, learned counsel for the respondent No. 4.

The learned counsel for the appellant submits that as per order of this Court in I.A.(Civil) No. 2199/2024, the insurance company has already deposited the 50% of the awarded amount before the Registry of this Court.

Appeal is admitted.

Call for the trial court record pertaining to Mac Case No. 192/2021 from the court of learned Member, MACT, Nagaon. The Registry is directed to procure the same.

List accordingly.

JUDGE

Comparing Assistant