

GAHC010147102023



undefined

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

Case No. : MACApp./388/2023

ICICI LOMBARD GENERAL INSURANCE COMPANY LTD.
HAVING ITS REGISTERED OFFICE AND HEAD OFFICE AT ICICI BANK
TOWERS, BANDRA KURLA COMPLEX, MUMBAI 400051, ITS ZONAL
OFFICE AT APEEJAY HOUSE, 15 PARK STREET, 7TH FLOOR, KOLKATA-
700016, AND A BRANCH OFFICE AT KAMAKHYA TOWER, 3RD FLOOR,
OFFICE NO. 305 AND 306, G.S. ROAD, GUWAHATI- 781005, ASSAM.

VERSUS

JENIFAR MAZUMDER AND 3 ORS.
D/O LATE NURUL ISLAM MAZUMDER,
VILL.- KANAKPUR, PART- IP.O.- KANAKPUR, P.S.- SILCHAR DIST.-
CACHAR, ASSAM, PIN- 788006.

2:SHABIB MAZUMDER
S/O LATE NURUL ISLAM MAZUMDER

VILL.- KANAKPUR
PART- IP.O.- KANAKPUR
P.S.- SILCHAR DIST.- CACHAR
ASSAM
PIN- 788006.

3:SHARUB MAZUMDAR
S/O LATE NURUL ISLAM MAZUMDER

VILL.- KANAKPUR
PART- IP.O.- KANAKPUR
P.S.- SILCHAR DIST.- CACHAR
ASSAM
PIN- 788006.

4:IFTIKHAR ALOM BARLASKAR
S/O NURUL HUSSAIN

VILL.- KANAKPUR
PT-I PESKAR ROAD
P.O.- KANAKPUR
P.S.- SILCHAR DIST.- CACHAR
PIN- 788103

Advocate for the Petitioner : MR. R GOSWAMI, MS. P BORTHAKUR,MS. M SAIKIA

Advocate for the Respondent : MR. M TALUKDAR (R-1,2,3),

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

19.11.2025

- 1.** Heard Ms. P. Borthakur, the learned counsel for the appellant. Also heard Mr. M. Talukdar, the learned counsel appearing for the respondent Nos. 1 to 3.
- 2.** On perusal of the Office Note dated 11.11.2025, it appears that the notices issued to the respondent No. 4 has not yet been received back.
- 3.** The learned counsel for the appellant has submitted that the instant appeal has been preferred by the insurance company/appellant mainly challenging the quantum of the offence awarded and therefore, submits that since the respondent No. 4 is the owner-cum-rider, his presence may not be necessary for consideration of the instant appeal and accordingly, prays for waving the notice to the respondent No. 4.
- 4.** The learned counsel appearing for the respondent Nos. 1 to 3

does not oppose the prayer.

5. Hence, the prayer is allowed.

6. The notice to respondent No. 4 is, accordingly, waived.

7. Since, the records of concerned MAC Case has already been received, this appeal is ready for hearing.

8. Let this matter be listed for hearing after 4(four) weeks, on a date to be fixed by the Registry.

JUDGE

Comparing Assistant