

GAHC010149482019



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

Case No. : MFA/169/2019

ORIENTAL INSURANCE CO. LTD.
HAVING ITS REGISTERED OFFICE AT ORIENTAL HOUSE, A 25/27 ASAF ALI
ROAD, NEW DELHI-110002 AND REGIONAL OFFICE AT GUWAHATI-7
REPRESENTED BY THE REGIONAL MANAGER.

VERSUS

SMTI NIZARA ROY and 2 ORS
W/O LATE MRIDUL ROY

2:CHINMOY ROY

S/O LATE MRIDUL ROY
BOTH ARE R/O VILL. CHAKCHAKA
P.O. SORBHOG
DIST. BARPETA PRESENTLY RESIDING AT VILL. DURAMARI
DIST. BONGAIGAON
ASSAM.

3:DILIP DAS

S/O LATE THANESWAR DAS
VILL. RAHA
P.O. CHAKCHAKA
P.S. SORBHOG
DIST. BARPETA
ASSAM
OWNER OF THE VEHICLE BEARING REGISTRATION NO. AS-14-C-248
TATA WINGE

Advocate for the Petitioner : MR. S DUTTA, MR. C SHARMA, MR. SIDHANT DUTTA, MS. N
MODI, MS. M CHOUDHURY

Advocate for the Respondent : MR. M DEKA, MR S DAS, FOR CAVEATOR, MR. S HAQUE, MR K DAS, MR. N BORUAH, MRS. R T DAS

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

ORDER

Date : 23.02.2026

- 1.** Heard Mr. S. Dutta, learned counsel for the appellant.
- 2.** Learned counsel for the appellant submits that the respondent No.3 has expired in this case and the matter has been intimated to the appellant/Insurance Company.
- 3.** An instruction in this regard is awaited.
- 4.** He submits that some time may be granted to the appellant, so that appropriate steps may be taken by the appellant.
- 5.** It appears that on last date also same prayer was made by the appellant before this court and the appellant was granted one last chance to file appropriate application. However, it has failed to do so.
- 6.** Learned counsel for the appellant submits that the respondent No.3 has expired in the year 2022 and, therefore, it appears that this Appeal against respondent No.3 is abated.
- 7.** The Registry to make endorsement regarding the abatement of respondent No.3 on the memo of Appeal.
- 8.** List this matter for hearing on 07.05.2026.

JUDGE

Comparing Assistant