

GAHC010153322019



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

Case No. : MACApp./139/2021

SRI JAMAN SINGH BRAHMA
- S/O- LATE ARJUN BRAHMA, R/O- H/NO. 10, BISHNU RABHA PATH,
JANAKPUR, BELTOLA, GUWAHATI- 781028, DIST.- KAMRUP(M), ASSAM

VERSUS

M/S BAJAJ ALLIANZ GENERAL INSURANCE LIMITED AND 8 ORS
REP. BY ITS BRANCH MANAGER, GUWAHATI BRANCH, ULUBARI,
GUWAHATI, DIST.- KAMRUP(M), PIN- 781007, ASSAM

2:SRI SANJIB KR. BORO
S/O- MAHENDRA BORO
VILL.- SILBARI
P.O. BAMAKHATA
DIST.- BAKSA
BTAD
PIN- 781327. (DRIVER OF THE VEHICLE NO. AS-01-AM-7850).

3:MUSSTT. ASHMA BEGUM @ KHATOON
W/O- LATE HAZRAT ALI
R/O- VILL.- MADHUPUR
P.S. DALGAON
DIST.- DARRANG
PIN- 784178
ASSAM.

4:MD. AHAMAD ALI
S/O- LATE HAZRAT ALI
R/O- VILL.- MADHUPUR
P.S. DALGAON
DIST.- DARRANG
PIN- 784178

ASSAM.

5:MD. NUR MAHAMMAD ALI
S/O- LATE HAZRAT ALI
R/O- VILL.- MADHUPUR
P.S. DALGAON
DIST.- DARRANG
PIN- 784178
ASSAM.

6:MD. ABU BAKKAR SIDDIQUE
S/O- LATE HAZRAT ALI
R/O- VILL.- MADHUPUR
P.S. DALGAON
DIST.- DARRANG
PIN- 784178
ASSAM.

7:MD. AMARAT ALI
S/O- LATE HAZRAT ALI
R/O- VILL.- MADHUPUR
P.S. DALGAON
DIST.- DARRANG
PIN- 784178
ASSAM.

8:MISS REJIA KHATOON
D/O- LATE HAZRAT ALI
R/O- VILL.- MADHUPUR
P.S. DALGAON
DIST.- DARRANG
PIN- 784178
ASSAM.

9:MISS FARIDA KHATOON
D/O- LATE HAZRAT ALI
R/O- VILL.- MADHUPUR
P.S. DALGAON
DIST.- DARRANG
PIN- 784178
ASSAM

Advocate for the Petitioner : MR. P P BORTHAKUR
Advocate for the Respondent : MR. R GOSWAMI

**BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI**

ORDER

Date : 24.08.2022

Heard Mr. PP Borthakur, learned counsel for the appellant and Ms. P. Borthakur, learned counsel for the respondent No. 1. Also heard Ms. Ivy Hussain, learned counsel for the respondent No. 2.

This appeal has been filed under Section 173 of the Motor Vehicles Act, 1988 against the judgment and award dated 31.03.2018, passed by the learned Member, Motor Accident Claims Tribunal No. 1, Guwahati in MAC Case No. 2160/2013.

The appeal is admitted.

Call for the LCR.

Issue notice to the other respondents i.e. respondent Nos. 3 to 9.

The appellant shall take steps for service of notice upon the respondent Nos. 3 to 9 by usual process , returnable by four weeks.

Steps be taken within three days.

No formal notice need be served upon the respondent Nos. 1 and 2 as Ms. P. Borthakur and Ms. I Hussain, learned counsels have entered appearance and accepted notice on behalf of the respondent Nos. 1 and 2.

However, extra copy of the memo of appeal and its annexures appended thereto be furnished to the learned counsels for the respondent Nos. 1 and 2 within three days from today.

List the matter after four weeks.

JUDGE

Comparing Assistant