

GAHC010155252024



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

**Case No. : I.A.(Civil)/2590/2024**

SHRIRAM GENERAL INSURANCE COMPANY LTD  
HAVING ITS CORPORATE AND REGISTERED OFFICE AT E-8  
EPIP  
RIICO INDUSTRIAL AREA  
SITAPURA  
JAIPUR  
RAJASHTAN  
INDIA PIN-302022 AND ONE OF THE BRANCH OFFICE AT B.R ARCADE  
3D FLOOR  
OPPOSITE TO PRIYA PALACE HOTEL  
21  
JANAPATH  
ULUBARI  
GUWAHATI-781007  
KAMRUP.

VERSUS

AMENA KHATUN AND 11 ORS  
W/O. LT JAMIRUL ISLAM

2:ABIDUR RAHMAN  
S/O. LT. JAMIRUL ISLAM

3:SUHANA AKTARA  
D/O. LT JAMIRUL ISLAM

4:ARFIN SULTINA  
D/O. LT JAMIRUL ISLAM

5:OMUE HABIBA  
D/O. LT JAMIRUL ISLAM

6:MUJAKKIR ALOM  
S/O. LT JAMIRUL ISLAM

7:RAHIM UDDIN  
S/O. LT. HUSSEN ALI

8:FATEMA KHATUN  
W/O. RAHIM UDDIN  
ALL ARE RESIDENT OF PACHIM SALPARA  
P.O AND P.S. RUPAHIHAT  
DIST. NAGAON  
ASSAM  
PIN-782125  
(RESPONDENTS 2

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5 AND 6 BEING MINOR WILL BE REPRESENTED BY MOTHER AND  
NATURAL GURDIAN RESPONDENT NO.1)

9:MR. RAJEN MALAKAR  
S/O. SUDHIR MALAKAR  
R/O. PORUWA HUIGAON  
P.S. TEZPUR  
PIN-784001

10:MD. ABDUL JALIL  
S/O. RAISUDDIN  
R/O. BATAMARI  
P.S. TEZPUR  
DIST. SONITPUR  
ASSAM  
PIN-782122

11:BHOLA DAS  
S/O. LT. DANDI RAM DAS  
R/O. MAZGAON KHARATI  
P.S. TEZPUR  
DIST. SONITPUR  
ASSAM  
PIN-784001.

12:MD. SORIFUL HASAN  
S/O. HASMAT ULLAH  
R/O. KHATOBORI  
P.O. GAGALMARI  
P.S. MAYONG  
DIST. MORIGAON

ASSAM  
PIN-782411.

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Advocate for : MR. A J SAIKIA  
Advocate for : appearing for AMENA KHATUN AND 11 ORS

In  
MACApp. Case No. 431/2024

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

**ORDER**

**08.05.2026**

**[1]** Heard Mr. S. Pegu, the learned counsel for the applicant. Also heard Mr. A. Sharma, the learned counsel for the respondent Nos. 1 to 8 as well as Mr. T. Gogoi, the learned counsel for the respondent No. 12.

**[2]** This interlocutory application has been filed by the applicant/insurance company praying for stay of execution of the impugned judgment and award dated 24.04.2024, passed by the Motor Accident Claims Tribunal, Nagaon in MAC Case No. 98/2021, which has been impugned in the connected MAC Appeal No. 431/2024.

**[3]** The learned counsel for the applicant has submitted that the applicant/insurance company is ready to deposit 50% of the awarded amount as a condition for grant of stay of the impugned judgment and award during the pendency of the connected MAC Appeal.

**[4]** Considering the submissions made by the learned counsel for the applicant, notice to respondent

Nos. 9, 10 and 11 in this interlocutory application is hereby waived and this interlocutory application is allowed.

**[5]** The execution of the impugned judgment and award dated 24.04.2024, passed by the Motor Accident Claims Tribunal, Nagaon in MAC Case No. 98/2021 shall remain stayed during the pendency of the connected MAC Appeal No. 431/2024, subject to deposit of 50% of the awarded amount by the applicant/insurance company before the Registry of this court within a period of 4(four) weeks, from the date of this order.

**[6]** This interlocutory application (civil) is, accordingly, disposed of.

**JUDGE**

**Comparing Assistant**