

GAHC010078042018



undefined

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

Case No. : MACApp./365/2018

SMT BANALATA DAS
W/O SRI ASWINI DAS
VILL. SANTI NAGAR .P.O. BARPETA -781301, P.S. AND DIST. BARPETA,
ASSAM

VERSUS

RAJU PAL CHOUDHURY AND 2 ORS
S/O TAPAN PAUL CHOUDHURY
VILL. OPPOSITE SIDE OF D.C. OFFICE ,BONGAIGAON, DIST.
BONGAIGAON, ASSAM PIN 783380

2:FORAJ ALI
S/O MD SAIFUL ALI .
VILL.GAMARIGURI
P.S. ABHAYPURI
DIST. BONGAIGAON
ASSAM PIN .783384

3:THE BRANCH MANAGER
ORIENTAL INSURANCE CO .LTD
BARPETA ROAD BRANCH OFFICE BARPETA 781315
P.S. BARPETA ROAD
DIST. BARPETA
ASSAM

4:THE DIVISIONAL MANAGER
ICICI LAMBARD GENERAL INSURANCE COMPANY
MADHAB TOWER
3RD FLOOR
AMWAY BUILDING
RUKMINI GAON

G.S. ROAD
GUWAHATI-78102

Advocate for the Petitioner : MR. B K JAIN, MS R DAS,MS N DEKARAJA,MR M GARODIA,MR. Y S MANNAN,MS. M DASGUPTA,MS. O PHUKAN

Advocate for the Respondent : MS. R D MOZUMDAR R-3, MS. M SAIKIA (R-4),MS. P BORTHAKUR (R-4),MR. R GOSWAMI (R-4),P SULTANA,MS. D KALITA (R-1),MR. S P SHARMA R-3,MS. C MOZUMDA R -3

Linked Case :

ORIENTAL INSURANCE COMPANY LTD
HAVING ITS GAUHATI REGIONAL OFFICE AT GUWAHATI
ULUBARI
KAMRUP (M) REPRESENTED BY THE DEPUTY MANAGER
GAUHATI REGIONAL OFFICE
ULUBARI
GUWAHATI 781007
KAMRUP (M)
ASSAM.

VERSUS

SMTI BANALATA DAS AND 2 ORS
W/O SHRI ASWINI DAS
VILL. SANTI NAGAR
P.O. METUAKUCHI
P.S. AND DIST. BARPETA
ASSAM
PIN 781301

2:RAJU PAUL CHOUDHURY
S/O TAPAN PAUL CHOUDHURY
VILL. OPPOSITE SIDE OF D.C. OFFICE
P.O. AND DIST. BONGAIGAON
ASSAM
PIN 783380

3:FORAJ ALI
S/O MD. SAIFUL ISLAM
VILL. DUMARGURI

P.O. DUMERGURI
P.S. ABHAYAPURI
DIST. BONGAIGAON
ASSAM
PIN 783384

Advocate for : MS. R D MOZUMDAR
Advocate for : appearing for SMTI BANALATA DAS AND 2 ORS

Linked Case : CO/18/2022

ORIENTAL INSURANCE COMPANY LIMITED AND ANR
HAVING ITS REGIONAL OFFICE AT GUWAHATI
ULUBARI
GUWAHATI 781007 REPRESENTED BY THE DEPUTY MANAGER
GAUHATI REGIONAL OFFICE
ULUBARI
GUWAHATI 781007

VERSUS

SMTI BANALATA DAS AND 2 ORS
W/O SHRI ASWINI DAS
R/O VILL. SANTI NAGAR
P.O. METUAKUCHI
P.S. AND DIST. BARPETA
ASSAM
PIN 781301

2:FORAJ ALI
S/O MD. SAIFUL ALI
VILL. GAMARIGURI
P.S. ABHAYAPURI
DIST. BONGAIGAON
ASSAM.

3:THE BRANCH MANAGER
ORIENTAL INSURANCE CO. LTD.
BARPETA ROAD BRANCH OFFICE
BARPETA 781315
P.S. BARPETA ROAD
DIST. BARPETA
ASSAM.

Advocate for : MS R D MAZUMDAR

Advocate for : appearing for SMTI BANALATA DAS AND 2 ORS

Linked Case : I.A.(Civil)/1635/2021

SMT BANALATA DAS
W/O SRI ASWINI DAS
VILL. SANTI NAGAR .P.O. BARPETA -781301
P.S. AND DIST. BARPETA
ASSAM

VERSUS

THE BRANCH MANAGER
ORIENTAL INSURANCE CO .LTD
BARPETA ROAD BRANCH OFFICE BARPETA 781315
P.S. BARPETA ROAD
DIST. BARPETA
ASSAM

Advocate for : MR. B K JAIN
Advocate for : R D MAZUMDAR appearing for THE BRANCH MANAGER
ORIENTAL INSURANCE CO .LTD

Linked Case :

ORIENTAL INSURANCE COMPANY LTD
HAVING ITS GAUHATI REGIONAL OFFICE AT GUWAHATI
ULUBARI
KAMRUP (M) REPRESENTED BY THE DEPUTY MANAGER
GAUHATI REGIONAL OFFICE
ULUBARI
GUWAHATI 781007
KAMRUP (M)
ASSAM.

VERSUS

SMTI BANALATA DAS AND 2 ORS
W/O SHRI ASWINI DAS
VILL. SANTI NAGAR

P.O. METUAKUCHI
P.S. AND DIST. BARPETA
ASSAM
PIN 781301

2:RAJU PAUL CHOUDHURY
S/O TAPAN PAUL CHOUDHURY
VILL. OPPOSITE SIDE OF D.C. OFFICE
P.O. AND DIST. BONGAIGAON
ASSAM
PIN 783380

3:FORAJ ALI
S/O MD. SAIFUL ISLAM
VILL. DUMARGURI
P.O. DUMERGURI
P.S. ABHAYAPURI
DIST. BONGAIGAON
ASSAM
PIN 783384

Advocate for : MS. R D MOZUMDAR
Advocate for : appearing for SMTI BANALATA DAS AND 2 ORS

Linked Case : I.A.(Civil)/4378/2018

ORIENTAL INSURANCE COMPANY LTD
HAVING ITS GAUHATI REGIONAL OFFICE AT GUWAHATI
ULUBARI
KAMRUP (M) REPRESENTED BY THE DEPUTY MANAGER
GAUHATI REGIONAL OFFICE
ULUBARI
GUWAHATI 781007
KAMRUP (M)
ASSAM.

VERSUS

SMTI BANALATA DAS AND 2 ORS
W/O SHRI ASWINI DAS
VILL. SANTI NAGAR
P.O. METUAKUCHI
P.S. AND DIST. BARPETA
ASSAM
PIN 781301

2:RAJU PAUL CHOUDHURY
S/O TAPAN PAUL CHOUDHURY
VILL. OPPOSITE SIDE OF D.C. OFFICE
P.O. AND DIST. BONGAIGAON
ASSAM
PIN 783380

3:FORAJ ALI
S/O MD. SAIFUL ISLAM
VILL. DUMARGURI
P.O. DUMERGURI
P.S. ABHAYAPURI
DIST. BONGAIGAON
ASSAM
PIN 783384

Advocate for : MS. R D MOZUMDAR
Advocate for : MR. B K JAIN (R1) appearing for SMTI BANALATA DAS AND 2
ORS

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 02.09.2025

Heard Mr. Y. S. Mannan, learned counsel for the appellant. Also heard Ms. R. D. Mozumdar, learned counsel for the respondent.

List these matters on 23.09.2025 for final hearing.

JUDGE

Comparing Assistant