

GAHC010167062025



2026:GAU-AS:2672

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

Case No. : I.A.(Civil)/3025/2025

ORIENTAL INSURANCE COMPANY LIMITED
A COMPANY UNDER THE COMPANIES ACT, 1956, HAVING ITS
REGISTERED OFFICE AT ORIENTAL HOUSE, A-25/27 ASAF ALI ROAD, NEW
DELHI 2, REGIONAL OFFICE AT G.S ROAD, ULUBARI, GUWAHATI 7,
REPRESENTED BY ITS REGIONAL MANAGER

VERSUS

NURUL ISLAM
S/O. ROJAB ALI, RESIDENT OF VILLAGE CHALA SHERSOW, PO.
BORKOLITA SHERSOW, PS. FAKIRGANJ, DIST. DHUBRI, ASSAM, PIN-783330

2:ASHIYA KHATUN
S/O. SIRAJ ALI
RESIDENT OF VILLAGE - C/O. BABU KUMAR DAS
SARUMOTORIA
DILIP HAJARI PATH
PO. DISPUR
GUWAHATI-6
PS. BHANGAGARH
DIST. KAMRUP M
ASSAM
PIN 781006

3:JOHURUL ISLAM
S/O. GOFUR ALI
RESIDENT OF VILLAGE FAKIRGANJ
P/O. AND P/S. FAKIRGANJ
DISTRICT- DHUBRI
ASSAM
PIN-78333

Advocate for the Petitioner : MR RABINDRA CHANDRA PAUL,

Advocate for the Respondent : MR. A R AGARWALA, MR ADITYA AGARWALA,MR. A R AGARWALA

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

ORDER

Date : 23.02.2026

- 1.** Heard Mr. R. C. Paul, learned counsel for the applicant. Also heard Mr. A. R. Agarwala, learned counsel appearing for the respondent No.1.
- 2.** This Interlocutory Application has been filed by the applicant/Insurance Company in connection with MAC Appeal No.423/2025, praying for stay of execution of the impugned Judgment and Award dated 18.02.2025, passed by the Motor Accident Claims Tribunal No.2, Kamrup (Metro) at Guwahati in MAC Case No.2077/2019.
- 3.** Learned counsel for the applicant has submitted that the aforesaid Judgment and Award has been impugned by the present applicant in the connected MAC Appeal No.423/2025.
- 4.** He submits that the applicant is also ready to deposit 50% of the awarded amount as a condition for grant of stay of execution of the impugned Judgment and Award.
- 5.** Since, the claimant is represented by his engaged counsel Mr. A. R. Agarwala, considering the submissions made by learned counsel for the applicant, notice to the other respondent is waived and this Interlocutory Application is allowed.
- 6.** The execution of the aforesaid Judgment and Award shall remain stayed during the pendency of the MAC Appeal No.423/2025 subject to deposit

of 50% of the awarded amount by the applicant/Insurance Company before the Registry of this Court within a period of 6 (six) weeks from the date of this order.

7. In the event, the applicant deposits the aforesaid amount, the Registry shall disburse the same to the respondent Nos.1 to 4/claimants after proper verification and subject to deposit of an indemnity bond to the extent of the amount to be disbursed.

8. This Interlocutory Application is accordingly disposed of.

JUDGE

Comparing Assistant