

GAHC010060452019



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

**Case No. : I.A.(Civil)/2559/2022**

UNITED INDIA INSURANCE COMPANY LTD.  
HAVING ITS REGISTERED OFFICE AND HEAD OFFICE AT 24 WHITES ROAD  
CHENNAI AND ITS REGIONAL OFFICE AT G.S. ROAD  
DISPUR  
GUWAHATI

VERSUS

BHULU KR. DAS AND 4 ORS  
S/O- SRI BHARAT CH. DAS  
VILL.- BILORTARI  
P.S. BARPETA  
DIST.- BARPETA  
ASSAM  
PIN- 781319

2:RUBUL GOGOI  
S/O- LATE BANSIDHAR GOGOI

VILL.- BOLOMA  
P.S. TEOK  
DIST.- JORHAT  
ASSAM  
PIN- 785112.. (DRIVER OF VEHICLE NO. AS-15-E-3618).

3:MAINAK BHOWAL

S/O- LATE MANASH KAMAL BHOWAL

GAR ALI  
BACKSIDE OF SINGH BROTHERS  
P.S. AND DIST.- JORHAT  
ASSAM. (OWNER OF VEHICLE NO. AS-01-H-5336 (TRUCK)).

4:HITESH BASUMATARY  
S/O- LATE UDAY BASUMATARY

WARD NO. 13  
SRIMANTAPUR  
P.O. AND DIST.- BARPETA  
ASSAM  
PIN- 781301. (OWNER OF VEHICLE NO. AS-15-E-3618 (SCORPIO).

5:NEW INDIA ASSURANCE CO. LTD.

REP. BY ITS CHIEF REGIONAL MANAGER  
REGIONAL OFFICE  
G.S. ROAD  
CHRISTANBASTI  
GUWAHATI- 781005  
DIST.- KAMRUP(M)  
ASSAM.

-----  
Advocate for : MR. R GOSWAMI  
Advocate for : MR. K R BORA appearing for BHULU KR. DAS AND 4 ORS

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

**ORDER**

**Date : 20.02.2026**

**1.** Heard Mr. R. Goswami, learned counsel for the applicant. Also heard Mr. A. J. Saikia, learned counsel for the respondent No. 5 as well as Ms. R. Gogoi, learned counsel for the respondent No. 1.

**2.** This application under Order 41 Rule 5 of the Code of Civil Procedure, 1908 has been preferred by the applicant/United India Insurance Company Limited in connection with MAC Appeal No. 576/2022 praying for stay of execution of the impugned Judgment and Award dated 21.05.2018 passed by the learned Member, Motor Accident Claims Tribunal No. 1, Kamrup(M), in MAC Case No 212/2013.

**3.** Issue notice.

**4.** The applicant shall take steps for issuance of notice upon the respondents by speed post as well as by usual mode within seven days from the date of this order, returnable on 1<sup>st</sup> of April, 2026.

**JUDGE**

**Comparing Assistant**