

GAHC010175572020



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

**Case No. : MFA/110/2021**

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

KABITAN NESSA AND 5 ORS.  
W/O- LATE AFSAR ALI, R/O- VILL.- BOLOGARAH, NIZ-KHARUPETIA, P.O.  
KHARUPETIA, P.S. DHULA, DIST.- DARRANG, ASSAM., PIN- 784146.

2:MISS SHAJEDA KHATUN  
R/O- VILL.- BOLOGARAH  
NIZ-KHARUPETIA  
P.O. KHARUPETIA  
P.S. DHULA  
DIST.- DARRANG  
ASSAM.  
PIN- 784146.

3:MISS ASHFUL NESSA  
R/O- VILL.- BOLOGARAH  
NIZ-KHARUPETIA  
P.O. KHARUPETIA  
P.S. DHULA  
DIST.- DARRANG  
ASSAM.  
PIN- 784146.

4:HABIBUR RAHMAN  
R/O- VILL.- BOLOGARAH  
NIZ-KHARUPETIA

P.O. KHARUPETIA  
P.S. DHULA  
DIST.- DARRANG  
ASSAM.  
PIN- 784146.

5:KHAIBAR ALI  
R/O- VILL.- BOLOGARAH  
NIZ-KHARUPETIA  
P.O. KHARUPETIA  
P.S. DHULA  
DIST.- DARRANG  
ASSAM.  
PIN- 784146  
(RESPONDENT NOS. 2 TO 5 BEING MINORS ARE REP. BY THEIR LEGAL  
GUARDIAN MOTHER  
I.E. RESPONDENT NO. 1).

6:JILLUL HOQUE  
S/O- NUR MAHOMMAD ALI  
R/O- VILL.- BOLOGARAH  
P.O. KHARUPETIA  
P.S. DHULA  
DIST.- DARRANG  
ASSAM  
PIN- 784146. (DRIVER CUM OWNER OF VEHICLE NO. AS-09-AC-5322)

**Advocate for the Petitioner** : MR. R GOSWAMI

**Advocate for the Respondent** : MR. B K DAS

**BEFORE**  
**HON'BLE MRS. JUSTICE RUMI KUMARI PHUKAN**

O R D E R

09.09.2021.

Heard learned counsel for the appellant.

Today the learned counsel for the respondents have also entered their appearance by filing caveat. The caveat stands discharged.

The appeal is admitted for hearing.

Let the extra copy of the appeal be furnished to the learned counsel for the respondents.

Call for the LCR.

Till the returnable date, the execution of the order dated 20.10.2020, passed by the learned Commissioner, Employees, Compensation, Darrang, in MEC Case No.01/2019, is stayed.

JUDGE

**Comparing Assistant**