

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 (1,2,3,4,5)

Linked Case : I.A.(Civil)/1271/2021

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PIN- 784146. (DRIVER CUM OWNER OF VEHICLE NO. AS-09-AC-5322).

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Advocate for : MR. R GOSWAMI  
Advocate for : MR. B K DAS appearing for KABITAN NESSA AND 5 ORS.

**BEFORE  
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

**ORDER**

**Date : 14.02.2022.**

Heard Ms. R. Gangabat, learned counsel appearing on behalf of Mr. R. Goswami, learned counsel for the applicant. Also heard Mr. B.K Das, learned counsel appearing for the respondent Nos. 1 to 5; Mr. M. N. Khan, learned counsel appearing for the respondent No.6.

LCR has already been received.

On the basis of submissions made by the learned counsel for the parties, the matters stand adjourned today.

List these matters again on 25.02.2022.

**JUDGE**

**Comparing Assistant**