

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, MS. P BORTHAKUR

**Advocate for the Respondent** : MR. B K DAS (1,2,3,4,5), M N KHAN (R-6),FOR CAVEATOR

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

**ORDER**

**Date : 24.03.2026**

- 1.** Heard Mr. B. K. Das, learned counsel for the respondents who seeks an adjournment.
- 2.** Mr. R. Goswami, learned counsel for the appellant who does not raise any objection to the prayer made by the learned counsel for the respondent.
- 3.** Hence, the same is allowed.

- 4.** List this matter again on 23<sup>rd</sup> of April, 2026.

**JUDGE**

**Comparing Assistant**