

GAHC010187112025



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

Case No. : MACApp./425/2025

HDFC ERGO GENERAL INSURANCE CO. LTD.
HAVING ITS REGISTERED OFFICE AND HEAD OFFICE AT RAMON HOUSE,
H.T. PAREKH MARG, 169, BACKBARY RECLAMATION, MUMBAI 400020
AND ITS GUWAHATI BRANCH OFFICE AT ADITYAM BUILDING, 6TH
FLOOR, LACHIT NAGAR, G.S. ROAD, GUWAHATI, ASSAM 781007

VERSUS

PARASHMONI GOGOI BORAH AND 3 ORS
W/O LATE KHIRESWAR BORAH

2:MISS PREYASHI BORAH

D/O LATE KHIRESWAR BORAH
BOTH ARE R/O VILL. BARUAH GAON
P.O. BARUAH GAON
P.S. GHILADHARI
DIST. GOLAGHAT
ASSAM
PIN 785603
PRESENT ADDRESS.
C/O SRI SATYENDRA DEKA
M.T. ROAD
MATHGHARIA
BAIKUNTHA NAGAR
P.O. AND P.S. NOONMATI
DIST. KAMRUP (M)
ASSAM
PIN 781020

3:BIKASH HAZARIKA

S/O LATE DIMBESWAR HAZARIKA
R/O VILL. GOTANGA

P.O. SHANTIPUR
P.S. GAURISAGAR
DIST. SIVASAGAR
ASSAM
PIN 785667

4:ATUL HAZARIKA

S/O LATE DIMBESWAR HAZARIKA
R/O 1ST APBN COLONY
LIGIRIPUKHURI
P.O. LIGIRIPUKHURI
P.S NAZIRA
DIST. SIVASAGAR
ASSAM
PIN 78568

Advocate for the Petitioner : MR. R GOSWAMI, MS. P BORTHAKUR,MS. M SAIKIA

Advocate for the Respondent : MR. R Deka, FOR CAVEATOR,S I AKAND

BEFORE
HON'BLE MRS. JUSTICE MITALI THAKURIA

ORDER

15-09-2025

Heard Mr. R. Goswami, learned counsel for the appellant and Mr. S. I. Akand, learned counsel for the claimant/respondent Nos. 1 and 2.

This appeal is an appeal under Section 173 of the M.V. Act, 1988 against the judgment and award dated 22.05.2025 passed by the learned Member, MACT No.3, Kamrup (M), in MAC Case No. 1275/2020 filed under Section 166 of the M. V. Act.

Admit this appeal.

As the claimant/respondent Nos. 1 and 2 are duly represented, by Mr. Akand, no formal notice need be issued, however, appellant shall serve copy of the memo of appeal on the learned counsel for the claimant/respondent Nos. 1 and 2 during the course of the day.

Mr. Goswami, learned counsel for the appellant further submitted that the respondent Nos. 3 and 4 are not necessary parties in the case as the entire case is on the quantum of the award and accordingly, Mr. Goswami, learned counsel prayed for striking out the name of the respondent Nos. 3 and 4 from this memo of appeal.

Hearing the submissions made by the learned counsel for the appellant, let the name of respondent Nos. 3 and 4 be struck off from the cause title of the memo of appeal at the risk of the appellant.

Registry shall do the needful.

Call for the TCR.

List this matter after the ensuing Puja Vacation, on a date to be fixed by the Registry.

JUDGE

Comparing Assistant