

GAHC010190592020



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

Case No. : MACApp./4/2021

ORIENTAL INSURANCE COMPANY LTD.
HAVING ITS REGISTERED OFFICE AT ORIENTAL HOUSE, A-25/27, ASAF ALI
ROAD, NEW DELHI- 110002 AND REGIONAL OFFICE AT GUWAHATI-7, REP.
BY THE REGIONAL MANAGER.

VERSUS

UTTAM SARMA AND 3 ORS.
S/O- LATE ADYA NATH SARMA, R/O- AKASHI NAGAR, WARD NO. 42, NEAR
SARMA STORE, P.O. CHANDMARI, DIST.- KAMRUP, PIN- 781021.

2:SMTI. MAMONI DEVI
W/O- UTTAM SARMA
R/O- AKASHI NAGAR
WARD NO. 42
NEAR SARMA STORE
P.O. CHANDMARI
DIST.- KAMRUP
PIN- 781021.

3:MRS. KIRAN DEVI JAIN
W/O- LATE B.R. JAIN
R/O- DHING ROAD
HAIBARGAON
P.O. HAIBARGAON
DIST.- NAGAON
ASSAM
PIN- 782002.

4:MD. REAZUL ALI
S/O- SOFIQUE UDDIN
R/O- VILL.- BALIRAM PATHER

P.O. JAMUNAMUKH
DIST.- NAGAON
ASSAM

Advocate for the Petitioner : MR SISHIR DUTTA

Advocate for the Respondent : MR. A HUSSAIN

Linked Case : MACApp./3/2021

ORIENTAL INSURANCE COMPANY LTD.
HAVING ITS REGISTERED OFFICE AT ORIENTAL HOUSE
A-25/27
ASAF ALI ROAD
NEW DELHI- 110002 AND REGIONAL OFFICE AT GUWAHATI-7
REP. BY THE REGIONAL MANAGER.

VERSUS

KEDAR RAY AND 3 ORS.
S/O- LATE LACHARMAN RAY
R/O- LANKA TOWN
WARD NO. 1
SWAHID KHARGESWAR TALUKDAR PATH
P.S. LANKA
DIST.- HOJAI
ASSAM.

2:MISS MOON RAI
D/O- KEDAR RAY
R/O- LANKA TOWN
WARD NO. 1
SWAHID KHARGESWAR TALUKDAR PATH
P.S. LANKA
DIST.- HOJAI
ASSAM.

3:MRS. KIRAN DEVI JAIN
W/O- LATE B.R. JAIN
R/O- DHING ROAD
HAIBARGAON
P.O. HAIBARGAON
DIST.- NAGAON

ASSAM
PIN- 782002.
4:MD. REAZUL ALI
S/O- SOFIQUE UDDIN
R/O- VILL.- BALIRAM PATHER
P.O. JAMUNAMUKH
DIST.- NAGAON
ASSAM.

Advocate for : MR SISHIR DUTTA
Advocate for : MR M AHMED appearing for KEDAR RAY AND 3 ORS.

Linked Case : I.A.(Civil)/43/2021

ORIENTAL INSURANCE COMPANY LTD.
HAVING ITS REGISTERED OFFICE AT ORIENTAL HOUSE
A-25/27
ASAF ALI ROAD
NEW DELHI- 110002 AND REGIONAL OFFICE AT GUWAHATI-7
REP. BY THE REGIONAL MANAGER.

VERSUS

KEDAR RAY AND 3 ORS.
S/O- LATE LACHARMAN RAY
R/O- LANKA TOWN
WARD NO. 1
SWAHID KHARGESWAR TALUKDAR PATH
P.S. LANKA
DIST.- HOJAI
ASSAM.

2:MISS MOON RAI
D/O- KEDAR RAY
R/O- LANKA TOWN
WARD NO. 1
SWAHID KHARGESWAR TALUKDAR PATH
P.S. LANKA
DIST.- HOJAI
ASSAM.
3:MRS. KIRAN DEVI JAIN
W/O- LATE B.R. JAIN
R/O- DHING ROAD
HAIBARGAON
P.O. HAIBARGAON

DIST.- NAGAON
ASSAM
PIN- 782002.
4:MD. REAZUL ALI
S/O- SOFIQUE UDDIN
R/O- VILL.- BALIRAM PATHER
P.O. JAMUNAMUKH
DIST.- NAGAON
ASSAM.

Advocate for : MR SISHIR DUTTA
Advocate for : appearing for KEDAR RAY AND 3 ORS.

Linked Case : I.A.(Civil)/45/2021

ORIENTAL INSURANCE COMPANY LTD.
HAVING ITS REGISTERED OFFICE AT ORIENTAL HOUSE
A-25/27
ASAF ALI ROAD
NEW DELHI- 110002 AND REGIONAL OFFICE AT GUWAHATI-7
REP. BY THE REGIONAL MANAGER.

VERSUS

UTTAM SARMA AND 3 ORS.
S/O- LATE ADYA NATH SARMA
R/O- AKASHI NAGAR
WARD NO. 42
NEAR SARMA STORE
P.O. CHANDMARI
DIST.- KAMRUP
PIN- 781021.

2:SMTI. MAMONI DEVI
W/O- UTTAM SARMA
R/O- AKASHI NAGAR
WARD NO. 42
NEAR SARMA STORE
P.O. CHANDMARI
DIST.- KAMRUP
PIN- 781021.
3:MRS. KIRAN DEVI JAIN
W/O- LATE B.R. JAIN
R/O- DHING ROAD
HAIBARGAON

P.O. HAIBARGAON
DIST.- NAGAON
ASSAM
PIN- 782002.
4:MD. REAZUL ALI
S/O- SOFIQUE UDDIN
R/O- VILL.- BALIRAM PATHER
P.O. JAMUNAMUKH
DIST.- NAGAON
ASSAM.

Advocate for : MR SISHIR DUTTA
Advocate for : MR A K SHARMA appearing for UTTAM SARMA AND 3 ORS.

Linked Case : MACApp./340/2021

MRS. KIRAN DEVI JAIN
W/O LATE B.R. JAIN
R/O DHING ROAD
HAIBARGAON
NAGAON
P.O. AND P.S.-HAIBARGAON
DIST-NAGAON
ASSAM
PIN-782002

VERSUS

ORIENTAL INSURANCE COMPANY LTD. AND 3 ORS.
HAVING ITS REGISTERED OFFICE AT ORIENTAL HOUSE A-25/27
ASAF ALI ROAD
NEW DELHI-110002. REPRESENTED BY REGIONAL MANAGER
ULUBARI
GUWAHATI-7
DIST-KAMRUP(M)

2:MD REAZUL ALI
S/O SOFIQUE UDDIN
R/O VILL-BALIRAM
P.O. AND P.S.-JAMUNAMUKH
DIST-HOJAI
ASSAM
PIN-
3:UTTAM SARMA
S/O LATE ADYA NATH SARMA

R/O AKASHI NAGAR
WARD NO-42
NEAR SARMA STORE
P.O. AND P.S.-CHANDMARI
GUWAHATI
DIST-KAMRUP(M)
ASSAM
PIN-781021
4:SMTI MAMONI DEVI
W/O SRI UTTAM SARMA
R/O AKASHI NAGAR
WARD NO-42
NEAR SARMA STORE
P.O. AND P.S.-CHANDMARI
GUWAHATI
DIST-KAMRUP(M)
ASSAM
PIN-781021

Advocate for : MR M AHMED
Advocate for : MR S DUTTA (R-1) appearing for ORIENTAL INSURANCE
COMPANY LTD. AND 3 ORS.

Linked Case : MACApp./338/2021

MRS. KIRAN DEVI JAIN
W/O LATE B.R. JAIN
R/O DHING ROAD
HAIBARGAON
NAGAON
P.O. AND P.S.-HAIBARGAON
DIST-NAGAON
ASSAM
PIN-782002

VERSUS

ORIENTAL INSURANCE COMPANY LTD. AND 3 ORS.
HAVING ITS REGISTERED OFFICE AT ORIENTAL HOUSE A-25/27
ASAF ALI ROAD
NEW DELHI-110002. REPRESENTED BY REGIONAL MANAGER
ULUBARI
GUWAHATI-7

2:MD REAZUL ALI

S/O SOFIQUE UDDIN
R/O VILL-BALIRAM
P.O. AND P.S.-JAMUNAMUKH
DIST-HOJAI
ASSAM
PIN-
3:KEDAR RAY
S/O LATE LACHARMAN RAY
R/O LANKA TOWN
WARD NO-1
SWAHID KHARGESWAR TALUKDAR PATH
P.O. AND P.S.-LANKA
DIST- HOJAI
ASSAM
PIN-782446
4:MISS MOON RAI
D/O SRI KEDAR RAY
R/O LANKA TOWN
WARD NO-1
SWAHID KHARGESWAR TALUKDAR PATH
P.O. AND P.S.-LANKA
DIST- HOJAI
ASSAM
PIN-782446

Advocate for : MR M AHMED
Advocate for : MR S DUTTA (r-1) appearing for ORIENTAL INSURANCE
COMPANY LTD. AND 3 ORS.

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 02.05. 2023

Mr. N.J. Gogoi, learned counsel appearing respondents/ claimants submits that Mr. S. Dutta, learned senior counsel for the appellants in MACApp. No. 3 of 2021 and MACApp. No. 4 of 2021 is out of station and prays for adjournment.

Also heard Mr. M. Ahmed, learned counsel for the appellants in MACApp. No. 338 of 2021 and MACApp. No. 340 of 2021, who submits that he has no objection on the prayer of adjournment.

As agreed to by the learned counsel for the parties, the matter is adjourned for the day.

List the matter after 2 weeks.

JUDGE

Comparing Assistant