

GAHC010199632012



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

Case No. : MACApp. 115/2012

1:SANJAY JAIN AND ORS

2: RAJESH JAIN
BOTH ARE SONS OF LATE SAGAR MAL JAIN

3: SMTI NIRMALA DEVI JAIN
W/O SHRI SAMPAT LAL JAIN

4: SMTI SUMAN DEVI JAIN
W/O SRI DILIP JAIN
R/O P.O. SILCHAR
DIST. CACHAR
ASSAM.

5: SMTI KUSUM DEVI JAIN
WIDOW OF LATE PAWAN JAIN

6: BIPLAV JAIN
S/O LATE PAWAN JAIN

7: SMTI AMRITA JAIN
D/O LATE PAWAN JAIN
SR. NOS. 1A
1 B and 1 C ARE THE RESIDENTS OF PALTANBAZAR
GUWAHATI-781008
P.S. PALTANBAZAR
DIST. KAMRUP METRO
ASSAM
SR. NOS. 2 TO 4 HEREIN ARE RESIDENTS OF ATHGAON

GUWAHATI-781008
DIST. KAMRUP METRO
ASSAM

VERSUS

1:NOOR MOHAMMAD ALI AND ORS
S/O LATE MAFIZUDDIN AHMED, R/O BAMUNBARI, P.O. PACHARIA HAJO,
DIST. KAMRUP, ASSAM, OWNER OF BUS NO. AS-25B-9993

2:THE NEW INDIA ASSURANCE CO. LTD.
G.S. ROAD
ULUBARI
GUWAHATI-781007
HAVING ONE OF ITS N.E.R.O. G.S. ROAD
BHANGAGARH
GUWAHATI-781005
INSURER OF BUS NO. AS-25B-9993

3:THE ORIENTAL INSURANCE CO.LTD.
CHRISTIAN BASTI
GUWAHATI-781005
HAVING ONE OF ITS REGIONAL OFFICE G.S. ROAD
ULUBARI
P.O. ULUBARI
GUWAHATI-781007 INSURER OF SCOOTER NO. AS-01G-6315 LMLNV

4:MD. HASAN ALI
S/O MD. KHUDRA ALI
VILL. SURADI
P.S. BARMAN
DIST. NALBARI
ASSAM DRIVER OF THE BUS NO. AS-25B-9993

5:SHYAM RATAN PODDAR
S/O LATE HANUMAN PRASAD PODDAR
C/O M/S APNA TRUCK FACTORY
S.J. ROAD
ATHGAON
GUWAHATI
DIST. KAMRUP METRO
ASSAM
OWNER OF THE SCOOTER NO. AS-01/G-6315 LML NV

6:SURAJ SINGHANIA
S/O CHAND RAM SINGHANIA
R/O FANCY BAZAR
GUWAHATI-781001

P.S. PANBAZAR
DIST. KAMRUP METRO
ASSAM
P/AC/O M/S APNA TRUCK FACTORY
S.J. ROAD
ATHGAON
GUWAHATI RIDER OF THE SCOOTER NO. AS-01/G-6315 LML N

Advocate for the Petitioner : MS.P C B NAIR

Advocate for the Respondent : MR.I ALAM

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 26-02-2019

Heard Mr. B. K. Jain, learned counsel for the appellant.

He has submitted that the instant appeal is preferred against the judgment and order dated 03.12.2011 passed by the Motor Accident Claims Tribunal, Kamrup, Guwahati in MAC Case No. 1439/2002. He has further submitted that another appeal, being MAC Appeal No. 84/2014 was also preferred against the same judgment and award dated 03.12.2011 passed in MAC Case No. 1439/2002 by the insurer and the same has been disposed of by an order dated 13.02.2019.

Referring to the said order dated 13.02.2019 passed in MAC Case No. 84/2014 he has prayed for this appeal may also be placed in the appropriate Court.

Let the matter be placed before the Registry.

JUDGE

Comparing Assistant