

GAHC010011042020



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

Case No. : I.A.(Civil)/112/2020

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

SRI SANJAY JAIN AND 6 ORS.
S/O- LATE SAGAR MAL JAIN, R/O- PALTAN BAZAR, GUWAHATI- 781008,
DIST.- KAMRUP, ASSAM.

2:SRI RAJESH JAIN
S/O- LATE SAGAR MAL JAIN
R/O- PALTAN BAZAR
GUWAHATI- 781008
DIST.- KAMRUP
ASSAM.

3:SMT. NIRMALA DEVI JAIN
W/O- SRI SAMPAT LAL JAIN
R/O- PALTAN BAZAR
GUWAHATI- 781008
DIST.- KAMRUP
ASSAM.

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

5:SMT. KUSUM DEVI JAIN

W/O- LATE PAWAN JAIN
R/O- ATHGAON
GUWAHATI- 781008
DIST.- KAMRUP
ASSAM.

6:SRI BIPLAV JAIN
S/O- LATE PAWAN JAIN
R/O- ATHGAON
GUWAHATI- 781008
DIST.- KAMRUP
ASSAM.

7:SMT. AMRITA JAIN
D/O- LATE PAWAN JAIN
R/O- ATHGAON
GUWAHATI- 781008
DIST.- KAMRUP
ASSAM

Advocate for the Petitioner : MR SISHIR DUTTA

Advocate for the Respondent :

Linked Case : MACApp./84/2014

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

VERSUS

SANJOY JAIN and ORS
S/O LATE SAGAR MAL JAIN

2:RAJESH JAIN

S/O LATE SAGAR MAL JAIN
3:SMT. NIRMALA DEVI JAIN
W/O SRI SAMPAT LAL JAIN
ALL THE ABOVENAMED ARE RESIDENTS OF PALTAN BAZAR
GUWAHATI 781008
DIST. KAMRUP

ASSAM.
4:SMT. SUMAN DEVI JAIN

W/O SRI DILIP JAIN
R/O P.O. SILCHAR
DIST. CACHAR
ASSAM.
5:SMT. KUSUM DEVI JAIN

W/O LATE PAWAN JAIN
6:BIPLAV JAIN

S/O LATE PAWAN JAIN
7:SMT. AMRITA JAIN

D/O LATE PAWAN JAIN
ALL TEH ABOVENAMED ARE RESIDENTS OF ATHGAON
GUWAHATI 781008
DIST. KAMRUP
ASSAM.
8:MD. NOOR MOHAMMAD ALI

S/O LATE MAFIZUDDN AHMED
R/O BAMUNBARI
P.O.PACHARIA HAJO
DIST. KAMRUP
ASSAM
OWNER OF BUS NO. AS-25B-9993
9:THE NEW INDIA ASSURANCE CO. LTD.

REGIONAL OFFICE G.S. ROAD
GUWAHATI-5
KAMRUP
ASSAM
REPRESENTED BY ITS CHIEF REGIONAL MANAGER INSURER OF BUS NO.
AS-25B-9993
10:MD. HASAN ALI

S/O MD. KHUDRA ALI
VILL. SURADI
P.S. BARMAN
DIST. NALBARI
ASSAM DRIVER OF BUS NO. AS-25B-9993
11:SHYAM RATAN PODDAR

S/O LATE HANUMAN PRASAD PODDAR
C/O M/S APNA TRUCK FACTORY
S.J. ROAD

ATHGAON
GUWAHATI-8
DIST. KAMRUP
ASSAM OWNER OF SCOOTER NO. AS-01/G-6315
12:SURAJ SINGHANIA

S/O CHAND RATAN SINGHANIA
R/O FANCY BAZAR
GUWAHATI 781001
P.S. PANBAZAR
DIST. KAMRUP
ASSAM RIDER OF SCOOTER NO. AS-01/G-6315

Advocate for : MR.D CHAKRABORTY
Advocate for : MR.G J SHARMAR-11 and 12 appearing for SANJOY JAIN and ORS

Linked Case : MACApp./115/2012

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

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. BARMAH
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 NV

Advocate for : MS.P C B NAIR
Advocate for : MR.I ALAM appearing for NOOR MOHAMMAD ALI AND ORS

Linked Case :

ORIENTAL INSURANCE COMPANY LTD

VERSUS

SRI SANJAY JAIN AND 6 ORS

Advocate for :
Advocate for : appearing for SRI SANJAY JAIN AND 6 ORS

**BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

ORDER

05-04-2021

Though these cases have been listed, the name of the learned counsel for the claimant, Shri B. K. Jain has not been reflected in the cause list. Moreover, MAC Appl. No. 115/2012 is yet to be finally adjudicated and has been wrongly reflected as D/O.

Office to list these cases by reflecting the name of Shri B. K. Jain as learned counsel for the claimant after a week.

Shri S. Dutta, learned Senior Counsel is present for the Insurance Company.

JUDGE

Comparing Assistant