

GAHC010200932023



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

Case No. : MACApp./354/2023

THE NEW INDIA ASSURANCE CO. LTD.
A COMPANY REGISTERED UNDER THE COMPANIES ACT, 1956. REP. BY ITS
REGIONAL MANAGER, G.S. ROAD, GUWAHATI- 7.

VERSUS

KALPANA NATH AND 6 ORS.
W/O LATE KAMAL NATH,
VILL.- GALIA, P.O.- GALIA, P.S.- BARPETA, DIST.- BARPETA, ASSAM-
781352.

2:KRISHNAMANI NATH
S/O LATE KAMAL NATH

VILL.- GALIA
P.O.- GALIA
P.S.- BARPETA
DIST.- BARPETA
ASSAM- 781352.

3:BHARGAB NATH
S/O LATE KAMAL NATH

VILL.- GALIA
P.O.- GALIA
P.S.- BARPETA
DIST.- BARPETA
ASSAM- 781352.

4:PRAMILA NATH
W/O BHABEN NATH

VILL.- GALIA
P.O.- GALIA

P.S.- BARPETA
DIST.- BARPETA
ASSAM- 781352.

5:BHABEN NATH
S/O HARORAM NATH

VILL.- GALIA
P.O.- GALIA
P.S.- BARPETA
DIST.- BARPETA
ASSAM- 781352.

6:GOPAL SINGH
S/O LATE SHEW SINGH

R/O HOWLY TOWN
WARD NO. 1
P.O.- HOWLY
P.S.- HOWLY
DIST.- BARPETA
ASSAM- 781316.

7:KAILASH PATHAK
S/O LATE BHATHIAL PATHAK

VILL.- BENNIBARI
P.O.- HOWLY
P.S.- GABARDHANA
DIST.- BAKSA(BTR)
ASSAM- 781316

Advocate for the Petitioner : MR B ACHARYYA, MR. A ACHARYA

Advocate for the Respondent : MR. R K AGARWALA (R-1,3,4), MS. R CHOUDHURY (r-1 to 4),MS F N ZAMAN (r-1 to 4),MR. A HUSSAIN (r-6,7),MR A CHOUDHURY (R-1,3,4),MS. D KALITA (R-1,3,4)

Linked Case : I.A.(Civil)/2978/2023

KALPANA NATH AND 6 ORS.
W/O LATE KAMAL NATH

VILL.- GALIA
P.O.- GALIA
P.S.- BARPETA

DIST.- BARPETA
ASSAM- 781352.

2: KRISHNAMANI NATH
S/O LATE KAMAL NATH

VILL.- GALIA
P.O.- GALIA
P.S.- BARPETA
DIST.- BARPETA
ASSAM- 781352.

3: BHARGAB NATH
S/O LATE KAMAL NATH

VILL.- GALIA
P.O.- GALIA
P.S.- BARPETA
DIST.- BARPETA
ASSAM- 781352.

4: PRAMILA NATH
W/O BHABEN NATH

VILL.- GALIA
P.O.- GALIA
P.S.- BARPETA
DIST.- BARPETA
ASSAM- 781352.
VERSUS

THE NEW INDIA ASSURANCE CO. LTD. AND 2 ORS.
A COMPANY REGISTERED UNDER THE COMPANIES ACT
1956. REP. BY ITS REGIONAL MANAGER
G.S. ROAD
GUWAHATI- 7.

2: GOPAL SINGH
S/O LATE SHEW SINGH

R/O HOWLY TOWN
WARD NO. 1
P.O.- HOWLY
P.S.- HOWLY
DIST.- BARPETA
ASSAM- 781316.

3: KAILASH PATHAK

S/O LATE BHATHIAL PATHAK

VILL.- BENNIBARI
P.O.- HOWLY
P.S.- GABARDHANA
DIST.- BAKSA(BTR)
ASSAM- 781316.

Advocate for : MR. R K AGARWALA

Advocate for : MR B ACHARYYA appearing for THE NEW INDIA ASSURANCE
CO. LTD. AND 2 ORS.

BEFORE
HONOURABLE MRS. JUSTICE MARLI VANKUNG

ORDER

Date : 05.09.2024

Heard Mr. A. Acharya, learned counsel for the appellant along with Ms. R. Choudhury, learned counsel for the respondents No.1 to 4.

It is seen that the respondent No.6/Driver of the vehicle and respondent No.7/Owner of the vehicle are not represented today, though the Office note dated 13.08.2024 mentions that the respondents No.6 and 7 have been duly represented by the learned counsels by filing their Vakalatnama.

In view of the above, in the absence of the learned counsel for the respondents No.6 and 7, the matter stands adjourned today.

List this matter on **10.09.2024.**

JUDGE

Comparing Assistant