

GAHC010200932023



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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.

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ASSAM- 781352.

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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 SUSMITA PHUKAN KHAUND

ORDER

12.02.2026

Learned counsel Mr. A. Acharya is present for the appellant and learned counsel Ms. R. Choudhury is present for respondent Nos. 1 to 4.

It is submitted that there is no element of settlement in this case.

It is also submitted that earlier this case was fixed for mediation. This case is not to be fixed for mediation anymore.

List this matter for hearing after 2 (two) weeks.

JUDGE

Comparing Assistant