

GAHC010208742021



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

Case No. : MACApp./77/2022

ICICI LOMBARD GENERAL INSURANCE COMPANY LTD.
HAVING ITS REGISTERED OFFICE AND HEAD OFFICE AT ICICI BANK
TOWERS, BANDRA KURLA COMPLEX, MUMBAI 400051, ITS ZONAL
OFFICE AT APEEJAY HOUSE, 15 PARK STREET, 7TH FLOOR, KOLKATA
700016 AND A BRANCH OFFICE AT 3ED FLOOR, OFFICE NO. 305 AND 306,
KAMAKHYA TOWER, G.S ROAD, GUWAHATI 781005, ASSAM

VERSUS

GOPA DAS AND 3 ORS.
W/O LATE BHUPESH CH. DAS,
RESIDENT OF VILLAGE NILIBARI, PO SIMLAGURI, PS DHALIGAON, DIST
CHIRANG, BTAD, ASSAM, 783385

2:SRI JOYDEEP DAS

S/O LATE BHUPESH CH. DAS

RESIDENT OF VILLAGE NILIBARI
PO SIMLAGURI
PS DHALIGAON
DIST CHIRANG
BTAD
ASSAM
783385

3:ON THE DEATH OF SANTALA BASUMATARY HIS LEGAL HEIRS
S/O LATE SONI RAM BASUMATARY

RESIDENT OF VILLAGE GOSSAIGAON
PO RANCHAIDHAM
DIST CHIRANG
ASSAM
783372.

(OWNER OF THE VEHICLE NO. AS-19/H-0349 (M/C)

3.1:BHARATI BASUMATARY
(WIFE) 46 YEARS
RESIDENT OF VILLAGE GOSSAIGAON
PO RANCHAIDHAM
DIST CHIRANG
ASSAM
783372.

3.2:DWITUN BASUMATARY
AGE 30 YEARS
RESIDENT OF VILLAGE GOSSAIGAON
PO RANCHAIDHAM
DIST CHIRANG
ASSAM
783372.

3.3:MANORANJAN BASUMATARY
AGE 26 YEARS
RESIDENT OF VILLAGE GOSSAIGAON
PO RANCHAIDHAM
DIST CHIRANG
ASSAM
783372.

3.4:BISHNU JYOTI BASUMATARY
AGE 18 YEARS
RESIDENT OF VILLAGE GOSSAIGAON
PO RANCHAIDHAM
DIST CHIRANG
ASSAM
783372.

4:TABRA BRAHMA
S/O LATE ABATH BRAHMA
RESIDENT OF VILLAGE SOUTH KAJOLGAON
PO SIMLAGURI
DIST CHIRANG
BTC
ASSAM
783381

(DRIVER OF THE VEHICLE NO. AS-19/H-0349 (M/C)

5:STATE OF ASSAM
REPRESENTED B

Advocate for the Petitioner : MR. R GOSWAMI, MR S K BEHARA,MS. P BORTHAKUR

Advocate for the Respondent : MR. M KHAN, MS CHITRALEKHA DAS (R-3.1. to 3.4),MR. K R PATGIRI (R-3.1. to 3.4),MR R ISLAM,MR. J RAHMAN,FOR CAVEATOR

**BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN**

ORDER

Date : 17.02.2026

Heard Mr. R. Goswami, learned counsel for the appellant. Also heard Mr. M. Khan, learned counsel for the respondent Nos. 1 and 2; and Ms. D.D. Barman, learned Addl. Senior Government Advocate for the respondent No. 5.

During the course of deliberation, Mr. Goswami, learned counsel for the appellant submits that pursuant to the order of Hon'ble Supreme Court in the case of **Safiq Ahmad Vs. ICICI Lombard General Insurance Co. Ltd. & Others**, in **Special Leave Petition (Civil) No. 1110 of 2017**, the State Government has already constituted one Special Investigation Team (SIT), and that direction may be issued to the said SIT to investigate the present matter also.

In view of the submission of Mr. Goswami, learned counsel for the appellant, Ms. Barman, learned Addl. Senior Government Advocate for the respondent No. 5 is directed to obtain instruction as to whether such SIT has been constituted in Assam or not.

List the matter on 23.02.2026.

JUDGE

Comparing Assistant