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

Case No. : MACApp./332/2021

HDFC ERGO GENERAL INSURANCE CO. LTD
HAVING ITS REGISTERED OFFICE AND HEAD OFFICE AT RAMON HOUSE, H.T. PAREKH MARG, 169, BACKBAY RECLAMATION, MUMBAI- 400020 AND ITS GUWAHATI BRANCH OFFICE AT ADITYAM BUILDING, 6TH FLOOR, LACHIT NAGAR, G.S. ROAD, GUWAHATI, ASSAM- 781007.

VERSUS

HITESH DAS AND 5 ORS
S/O- LATE HARMOHAN DAS, R/O- VILL.- MANASPUR, WARD NO. 10, P.S. BARPETA ROAD, DIST.- BARPETA, ASSAM, PIN- 781315.

2:BIPLAB PRATIM DAS
S/O- HITESH DAS
R/O- VILL.- MANASPUR
WARD NO. 10
P.S. BARPETA ROAD
DIST.- BARPETA
ASSAM
PIN- 781315.

3:MISS DRISTIREKHA DAS
D/O- HITESH DAS
R/O- VILL.- MANASPUR
WARD NO. 10
P.S. BARPETA ROAD
DIST.- BARPETA
ASSAM
PIN- 781315.

4:SMTI. KANAN BALA OJAH
W/O- LATE KANAK CH. OJAH

R/O- VILL.- MANASPUR
WARD NO. 10
P.S. BARPETA ROAD
DIST.- BARPETA
ASSAM
PIN- 781315.

5:GUNAJIT NATH
S/O- LATE JOGENDRA NATH
R/O- VILL.- GALIAHATI
SRIKARMAR PATH
METUAKUCHI
BARPETA
P.S. AND DIST.- BARPETA
ASSAM
PIN- 781314.

6:ABDUL REJJAK
S/O- LATE ATOWAR RAHMAN
R/O- VILL.- JOGIRPAM
P.S. BARPETA
DIST.- BARPETA
ASSAM
PIN- 781316

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

Advocate for the Respondent : MR M H AHMED, MR. S ISLAM,MR. N ALAM

Linked Case : MACApp./285/2020

GUNAJIT NATH
S/O- LATE JOGENDRA NATH
R/O- GALIAHATI
SRIKARMAR PATH
METUAKUCHI
BARPETA
P.S. AND DIST.- BARPETA
ASSAM.

VERSUS

HITESH DAS AND 5 ORS.
S/O- LATE HARMOHAN DAS
R/O- VILL.- MANASPUR
WARD NO. 10
BARPETA ROAD
P.O. AND P.S. BARPETA ROAD
DIST.- BARPETA
ASSAM
PIN- 781315.

2:BIPLAB PRATIM DAS
S/O- HITESH DAS
R/O- VILL.- MANASPUR
WARD NO. 10
BARPETA ROAD
P.O. AND P.S. BARPETA ROAD
DIST.- BARPETA
ASSAM
PIN- 781315.

3:DRISTIREKHA DAS
D/O- HITESH DAS
R/O- VILL.- MANASPUR
WARD NO. 10
BARPETA ROAD
P.O. AND P.S. BARPETA ROAD
DIST.- BARPETA
ASSAM
PIN- 781315.

4:SMTI. KANAN BALA OJAH
W/O- LATE KANAK CH. OJAH
R/O- VILL.- MANASPUR
WARD NO. 10
BARPETA ROAD
P.O. AND P.S. BARPETA ROAD
DIST.- BARPETA
ASSAM
PIN- 781315.

5:ABDUL REJJAK
S/O- LATE ATOWAR RAHMAN
R/O- VILL.- JOGIRPAM
P.S. DHIRENPARA
DIST.- BARPETA
ASSAM.

6:THE BRANCH MANAGER

HDFC ERGO GENERAL INSURANCE CO. LTD.

MAYUR GARDEN
GROUND FLOOR
OPPOSITE RAJIB BHAWAN
ABC
G.S. ROAD
GUWAHATI- 781005.

Advocate for : MR. S ISLAM
Advocate for : MR M H AHMED (r-1 to 4) appearing for HITESH DAS AND 5 ORS.

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

Date : 10.04.2025

Heard Mr. R. Goswami, learned counsel for the appellant in MACApp. No. 332/2021 and respondent No. 6 in MACApp. No. 285/2020. Also heard Mr. M.H. Ahmed, learned counsel for the respondent Nos. 1 to 4 in both MACApp. No. 332/2021 and MACApp. No. 285/2020 and Mr. S. Islam, learned counsel for the appellant in MACApp. No. 285/2020 and respondent Nos. 5 and 6 in MACApp. No. 332/2021.

Heard in part.

List the matters for further hearing on 22.05.2025.

JUDGE

Comparing Assistant