GAHC010306252019

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

Case No. : 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 the Petitioner : MR. S ISLAM, MR A HAWARI,MR. S U AHMED

Advocate for the Respondent : MR M H AHMED (r-1 to 4), MS. P BORTHAKUR (R6),MS. M SAIKIA (R6),MR. R GOSWAMI (R6)

Linked Case : 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 : MR. R GOSWAMI
Advocate for : MR M H AHMED appearing for HITESH DAS AND 5 ORS

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

Date : 25.11.2025

Heard Mr. S. Islam, learned counsel for the appellant in MACApp. No. 285/2020 and respondent No. 5 in MACApp. No. 332/2021. Also 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. 1-4.

Argument concluded.

Judgment reserved.

JUDGE

Comparing Assistant