

GAHC010214792025



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

Case No. : MACApp./450/2025

HDFC ERGO GENERAL INSURANCE COMPANY LIMITED
HAVING ITS REGISTERED AND CORPORATE OFFICE AT FIRST FLOOR,
HDFC HOUSE, 165-166 BACKDAY RECLAMATION, H.T. PAREKH MARG,
CHURCHGATE, MUMBAI 400020, MAHARASHTRA, ITS ZONAL OFFICE AT
FOURTH FLOOR, BLOCK- C, 22 CAMAC STREET, KOLKATA, 700016 AND
THE BRANCH OFFICE IS AT ADITYAM TOWER, 6TH FLOOR ULUBARI, G.S.
ROAD, GUWAHATI, KAMRUP (M), ASSAM IS REP. BY ITS DEPUTY
MANAGER, LITIGATION DEPARTMENT AND T.P CLAIMS

VERSUS

RANU NARAH AND ANR.
WIFE OF BAHADUR NARAH, RESIDENT OF - NAGAN CHUK, POST OFFICE
JENGRAIMUKH, POLICE STATION JENGRAIMUKH, DISTRICT- MAJULI,
ASSAM, PIN CODE-785105
PRESENT RESIDENT OF NO. 2 PARBOTIPUR, MISSING GAON, P/O. MERBIL,
P/S. LALUK, DIST. LAKHIMPUR, ASSAM, PIN-784160

2:BEVARA PRASAD RAO
SON OF NARAYAN RAO
RESIDENT OF- HOUSE NO. DF-4
JACK BIB RESIDENCY
DONGRIM NAVELIM
N/O- SREKAKULEM
SOUTH GOA
PIN CODE-403707 (OWNER OF THE SCOOTY BEARING NO. GA 08/B-3548

Advocate for the Petitioner : MR T KALITA, MR. A KAKATI

Advocate for the Respondent : ,

Linked Case : I.A.(Civil)/3201/2025

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Advocate for : MR T KALITA
Advocate for : appearing for RANU NARAH AND ANR.

**BEFORE
HON'BLE MRS. JUSTICE MITALI THAKURIA**

O R D E R

Date : 24.09.2025.

Heard Mr. T. Kalita, learned counsel for the applicant.

This is an application under Order 41, Rule 5 of the Code of Civil Procedure, 1908, praying for stay of operation of the judgment and award dated 19.06.2025, passed by the learned Member, MACT, Lakhimpur in MAC (Death) Case No.08/2022, basically on the ground of maintainability.

It is submitted by Mr. Kalita, the learned counsel for the applicant that as the connected appeal has been filed basically on the ground of maintainability, as such he submitted that the operation of the judgment and award dated 19.06.2025, passed by the learned Member, MACT, Lakhimpur in MAC (Death) Case No.08/2022 may be stayed accordingly till disposal of the appeal.

Considering the submission of learned counsel for the applicant, the operation of the judgment and award dated 19.06.2025, passed by the learned Member, MACT, Lakhimpur in MAC (Death) Case No.08/2022 is stayed till the next day of listing.

Issue notice to the respondents, through Regd. Post with A/D. Steps within three (3) days.

List the matter after the Puja vacation on a date to be fixed by the Registry

along with the connected appeal.

JUDGE

Comparing Assistant