



GAHC010221782018



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

**Case No. : I.A.(Civil)/3574/2018**

SMT MONALISA KALITA AND 3 ORS  
WIDOW OF LATE PULIN KALITA, R/O VILL. BAREGHAR SATRA, P.O. AND  
P.S. NAZIRA, DIST. SIVASAGAR, ASSAM.

2: SRI DHIRENDRA NATH KALITA @ DHIREN CH. KALITA

FATHER OF LATE PULIN KALITA  
R/O VILL. BAREGHAR SATRA  
P.O. AND P.S. NAZIRA  
DIST. SIVASAGAR  
ASSAM.

3: MISS ANGANA KALITA

D/O LATE PULIN KALITA  
R/O VILL. BAREGHAR SATRA  
P.O. AND P.S. NAZIRA  
DIST. SIVASAGAR  
ASSAM.

4: SRI NILUTPAL KALITA

S/O LATE PULINKALITA  
R/O VILL. BAREGHAR SATRA  
P.O. AND P.S. NAZIRA  
DIST. SIVASAGAR  
ASSAM. APPELLANT NO. 2 IS AN OLD AGED PERSON  
APPELLANT NO. 3 AND 4 ARE MINOR ARE REPRESENTED BY APPELLANT  
NO.

VERSUS

M/S B.L. AGARWALA AND 2 ORS  
VILL. GOR ALI JORHAT, P.O. AND P.S. JORHAT, DIST. JORHAT, ASSAM, PIN



785001 (OWNER OF THE VEHICLE NO. AS-03/AC-0981 TRUCK DUMPER)

2:SRI JAWAHIR RAWAT  
VILL. BIHUBOR  
P.O. AND P.S. BIHUBOR  
DIST. SIVASAGAR  
ASSAM  
PIN 785687 (DRIVER OF THE VEHICLE NO. AS-03/AC-0981 TRUCK  
DUMPER)

3:THE BRANCH MANAGER  
THE UNITED INDIA INSURANCE CO. LTD.  
JORHAT BRANCH  
ASSAM  
HAVING ITS REGIONAL OFFICE AT G.S. ROAD BHANGAGARH  
GUWAHATI 781005 REPRESENTED BY ITS CHIEF REGIONAL MANAGE

**Advocate for the Petitioner** : MR. R P ROY

**Advocate for the Respondent** : MR. K K BHATTA

Linked Case : MACApp./886/2018

SMT MONALISA KALITA AND 3 ORS  
WIDOW OF LATE PULIN KALITA  
R/O VILL. BAREGHAR SATRA  
P.O. AND P.S. NAZIRA  
DIST. SIVASAGAR  
ASSAM.

2: SRI DHIRENDRA NATH KALITA @ DHIREN CH. KALITA

FATHER OF LATE PULIN KALITA  
R/O VILL. BAREGHAR SATRA  
P.O. AND P.S. NAZIRA  
DIST. SIVASAGAR  
ASSAM.

3: MISS ANGANA KALITA

D/O LATE PULIN KALITA  
R/O VILL. BAREGHAR SATRA  
P.O. AND P.S. NAZIRA



DIST. SIVASAGAR  
ASSAM.

4: SRI NILUTPAL KALITA

S/O LATE PULINKALITA  
R/O VILL. BAREGHAR SATRA  
P.O. AND P.S. NAZIRA  
DIST. SIVASAGAR  
ASSAM. APPELLANT NO. 2 IS AN OLD AGED PERSON  
APPELLANT NO. 3 AND 4 ARE MINOR ARE REPRESENTED BY APPELLANT  
NO. 1  
VERSUS

M/S B.L. AGARWALA AND 2 ORS  
VILL. GOR ALI JORHAT  
P.O. AND P.S. JORHAT  
DIST. JORHAT  
ASSAM  
PIN 785001 (OWNER OF THE VEHICLE NO. AS-03/AC-0981 TRUCK DUMPER)

2:SRI JAWAHIR RAWAT  
VILL. BIHUBOR  
P.O. AND P.S. BIHUBOR  
DIST. SIVASAGAR  
ASSAM  
PIN 785687 (DRIVER OF THE VEHICLE NO. AS-03/AC-0981 TRUCK DUMPER)

3:THE BRANCH MANAGER  
THE UNITED INDIA INSURANCE CO. LTD.  
JORHAT BRANCH  
ASSAM  
HAVING ITS REGIONAL OFFICE AT G.S. ROAD BHANGAGARH  
GUWAHATI 781005 REPRESENTED BY ITS CHIEF REGIONAL MANAGER

-----  
Advocate for : MR. R P ROY

Advocate for : appearing for M/S B.L. AGARWALA AND 2 ORS



**BEFORE  
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

**ORDER**

**07.04.2021**

Heard the learned counsel, Mr. R. P. Roy, appearing for the applicants. Also heard Mr. K. K. Bhatta, the learned counsel appearing for the respondent No. 3.

Seen the Office Note dated 07.02.2020.

The applicant is directed to take fresh steps upon the respondent No. 2 by registered post with A/D as well as by other usual process.

List the matters after 4 (four) weeks.

**JUDGE**

**Comparing Assistant**