

GAHC010234612024



2025:GAU-AS:11346

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

Case No. : MACApp./601/2024

ASRUPI @ ASURUPI BEGUM AND ANR
W/O. LATE CHAFAT ALI

2: JASMIN BEGUM
D/O. LATE CHAFAT ALI
VILL. LOWER MIRZAPUR
MUSLIMPARA
P/O. AZARA
DIST. KAMRUP (M)
ASSAM

VERSUS

ICICI LOMBARD GENERAL INSURANCE CO. LTD. AND 2 ORS
KAMAKHYA TOWER, G.S. ROAD, CHRISTIAN BASTI, P/O. GUWAHATI-
781005, DIST. KAMRUP (M), ASSAM.

2:KORBAN ALI
S/O. BOCHIR ALI
VILL. MAHAKUCHI
P/O. HAJO-781104
DIST. KAMRUP
ASSAM.

3:TAPAN KALITA
S/O. DILIP KALITA
VILL.- MANAHCHUKI
P/O. HAJO
DIST. KAMRUP
ASSAM

Advocate for the Petitioner : MR. A R AGARWALA, MR ADITYA AGARWALA

Advocate for the Respondent : MR. A RAHMAN (R-2,3), MS. M SAIKIA(R-1),MS. P BORTHAKUR(R-1),MR. R GOSWAMI (R-1)

**BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

ORDER

Date : 26.08.2025

- 1.** Heard Mr. A. R. Agarwala, learned counsel for the appellants. Also heard Mr. R. Goswami, learned counsel for the respondent/ Insurance Company.
- 2.** This Appeal is against the Judgment dated 13.09.2024, passed by the learned Member, Motor Accident Claims Tribunal No.2, Kamrup (Metro), Guwahati in MAC Appeal No.725/2022.
- 3.** The appeal was dismissed for non-examination of an eye witness. Today both sides have agreed that this is a fit case for remand.
- 4.** After hearing learned counsel for both sides, this Court is also of the opinion that this is a fit case for remand.
- 5.** The Tribunal is directed to give one opportunity to the appellants to examine one eye witness and thereafter the Insurance Company shall also be allowed to examine witnesses, after that, the Tribunal shall dispose of the case in accordance with the procedure as laid down by law.
- 6.** With the aforesaid direction, this MAC Appeal stands disposed of.

JUDGE

Comparing Assistant