

GAHC010235592024



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

Case No. : I.A.(Civil)/3569/2024

MANIKA PATAR @ MONIKA PATOR AND 3 ORS.
W/O LATE DHARMENDRA PATAR,
VILL.- MADHYA TUPAKUCHI, BARPUJIA ROAD, NEAR SHIV MANDIR, P.O.
AND P.S.- RAHA, DIST.- NAGAON, ASSAM, PIN- 782103.

2: RITISHIKHA PATAR
D/O LATE DHARMENDRA PATAR

VILL.- MADHYA TUPAKUCHI
BARPUJIA ROAD
NEAR SHIV MANDIR
P.O. AND P.S.- RAHA
DIST.- NAGAON
ASSAM
PIN- 782103.
PRESENT ADDRESS- NORTH JALIKBARI
P.O.- GUWAHATI UNIVERSITY
P.S.- JALUKBARI. DIST.- KAMRUP (M)
ASSAM
PIN- 781014.

3: KABERI PATAR
D/O LATE DHARMENDRA PATAR

VILL.- MADHYA TUPAKUCHI
BARPUJIA ROAD
NEAR SHIV MANDIR
P.O. AND P.S.- RAHA
DIST.- NAGAON
ASSAM
PIN- 782103.
PRESENT ADDRESS- NORTH JALIKBARI
P.O.- GUWAHATI UNIVERSITY
P.S.- JALUKBARI. DIST.- KAMRUP (M)

ASSAM
PIN- 781014.

4: MRINMOY PATAR
S/O LATE DHARMENDRA PATAR

VILL.- MADHYA TUPAKUCHI
BARPUJIA ROAD
NEAR SHIV MANDIR
P.O. AND P.S.- RAHA
DIST.- NAGAON
ASSAM
PIN- 782103.
PRESENT ADDRESS- NORTH JALIKBARI
P.O.- GUWAHATI UNIVERSITY
P.S.- JALUKBARI. DIST.- KAMRUP (M)
ASSAM
PIN- 781014.
(REP. BY REP. NO. 1)

VERSUS

NEW INDIA ASSURANCE COMPANY LIMITED
(A CENTRAL GOVT. UNDERTAKING) HAVING ITS REGIONAL OFFICE AT
GUWAHATI, G.S. ROAD, ULUBARI, GUWAHATI- 781007, REP. BY THE
DEPUTY MANAGER, GAUHAITI REGIONAL OFFICE, ULUBARI, GUWAHATI-
781007.

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

Advocate for the Respondent : MS. R D MOZUMDAR,

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

Date : 23.02.2026

- 1.** Heard Mr. A. R. Agarwala, learned counsel for the applicants. Also heard Mr. S. P. Sharma, learned counsel for the Insurance Company.
- 2.** This application has been filed by the applicants/appellants praying for allowing them to withdraw the 50% of the awarded amount which has been

deposited before the Registry of this Court by the Insurance Company in pursuant to the order dated 31.07.2024 passed in I.A.(C) No. 2221/2024 in connection with MAC Appeal No. 361/2024.

3. The learned counsel for the applicants has submitted that there is a possibility of amicable settlement in the pending connected appeal also.

4. The learned counsel for the Insurance Company has submitted that he has no objection in disbursing the deposited amount to the applicants/claimants subject to furnishing of an indemnity bond.

5. Considering the submissions made by the learned counsel for both sides, this interlocutory application is allowed.

6. The learned counsel for the applicants submits that since the other claimants are daughters and sons of the claimant No. 1, she may be allowed to receive the disbursed amount on behalf of the other claimants also and she is ready to furnish an indemnity bond to that effect.

7. The Registry to disburse the aforesaid amount to the claimant No. 1, Smt. Manika Patar @ Monika Pator after proper verification, subject to furnishing indemnity bond of Rs.45,29,405/- with an undertaking to deposit the same in the event the appeal filed by the Insurance Company is allowed and an order to that effect is passed by this Court.

8. This interlocutory application is accordingly disposed of.

JUDGE

Comparing Assistant