

GAHC010236372019



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

Case No. : MACApp. 510/2019

1:SMTI. JONALI DAS
W/O- SRI DEBI RAM DAS, R/O- VILL- GAMERIMURA, P.S- BOKO, DIST-
KAMRUP, ASSAM

VERSUS

1:SRI GOPAL RABHA AND 3 ORS
S/O- HAGESWAR RABHA, VILL- NAMBORJULI, P.S- BOKO, DIST- KAMRUP,
ASSAM

2:BIPUL DAS
S/O- CHABIN DAS
VILL- RAJAPARA
P.S- BOKO
DIST- KAMRUP
ASSAM

3:THE BRANCH MANAGER
M/S UNITED INSURANCE CO LTD
BOKO BRANCH
KAMRUP- 781123
ASSAM

4:THE REGIONAL MANAGER
M/S UNITED INSURANCE CO LTD
G S ROAD
BHANGAGARH
GUWAHATI- 5
ASSA

Advocate for the Petitioner : MR. K BHATTACHARJEE

Advocate for the Respondent :

**BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA**

ORDER

Date : 04-02-2020

Heard Mr. K. Bhattacharjee, learned counsel for the appellant, who submits that the impugned Judgment dated 18.06.2019 passed by the MACT No. 3, Kamrup (M), Guwahati dismissing MAC Case No. 120/2017 should be interfered with, inasmuch as, as the appellant is not a gratuitous passenger and that the filing of the charge sheet after 6 (six) months of registering the FIR is not the concern of the appellant.

Admit the appeal.

Call for the LCR.

Issue notice returnable in four weeks.

Appellant to take steps for service of notice upon the respondents by registered post with A/D and as per usual process, within 3 days.

List the matter after 4 (four) weeks.

JUDGE

Comparing Assistant