

GAHC010243692023



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

**Case No. : MACApp./479/2024**

ABDUL MANIK BARBHUIYA @ MANIK UDDIN BARBHUIYA  
S/O LATE JALAL UDDIN BARBHUIYA, VILL.- SAYEDBOND PT- I, DIST.-  
HAILAKANDI, ASSAM.

VERSUS

NIZAM UDDIN AND 2 ORS. H  
S/O ABDUL GANI, R/O NABINGRAM, DIST.- KARIMGANJ, PIN- 788156.

2: MUKTAR AHMED  
S/O LATE ISHAQUE ALI

R/O OLD LAKHIPUR ROAD  
KANAKPUR  
P.O.- 788005  
DIST.- CACHAR  
ASSAM.

3: THE NATIONAL INSURANCE COMPANY LTD.  
REP. BY THE DIVISIONAL MANAGER  
NATIONAL INSURANCE COMPANY LTD.  
SILCHAR BRANCH  
DIST.- CACHAR  
ASSAM

**Advocate for the Petitioner** : MR. J LASKAR, MR SOHAING

**Advocate for the Respondent** : , MR. M H LASKAR (R-1), M. HOSSAIN (R-1), MR. S ROY (R-1)

**BEFORE  
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA**

**ORDER**

**19.09.2024**

- 1.** Heard Mr. J. Laskar, learned counsel for the appellant. Also heard Mr. S. Roy, learned counsel for the respondent No. 1.
- 2.** This appeal under Section 173 of the Motor Vehicles Act, 1988 has been filed by the appellant, impugning the Judgment and Order dated 23.06.2023, passed in M.A.C. Case No. 77/2018 by the learned Member, Motor Accident Claims Tribunal, Hailakandi praying for enhancement of the awarded amount.
- 3.** Issue notice to the respondents.
- 4.** As Mr. S. Roy has already appeared for respondent No. 1, no formal notice need to be issued to the respondent No. 1. However, as regards respondent Nos. 2 and 3 are concerned, the appellant shall take steps for issuance of notice on the respondent Nos. 2 and 3, by registered post with A/D as well as through usual mode within 7(seven) days from the date of this order, returnable after 4(four) weeks.
- 5.** Let the case record of M.A.C. Case No. 77/2018 be called for from the concerned Tribunal.
- 6.** List accordingly.

**JUDGE**

**Comparing Assistant**