

GAHC010243692023



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**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**

**08.05.2026**

**[1]** Heard Mr. J. Laskar, the learned counsel for the appellant. Also heard Mr. K.K. Bhatta, the learned counsel for the respondent No. 3. Nobody has appeared for respondent No. 1 today. Though on last occasion, Ms. S. Roy has appeared for the said respondent.

**[2]** On perusal of the Office Note dated 02.05.2026, it appears that the notice issued to respondent No. 2 has returned with a remark "not found."

**[3]** The learned counsel for the appellant submits that since the appellant is aggrieved mainly with the quantum of compensation awarded to the appellant/claimant, the presence of respondent No. 2, who is the owner of the offending vehicle, may not be required for deciding this appeal.

**[4]** Considering the submissions made by the learned counsel for the appellant, the notice to respondent No. 2 is waived at his own risk at this stage.

**[5]** The record of connected MAC Case has already been received.

**[6]** Hence, this appeal is ready for hearing.

**[7]** List this appeal for hearing on 11<sup>th</sup> August,

2026.

**JUDGE**

**Comparing Assistant**