

GAHC010245872022



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

Case No. : MACApp./870/2022

UNITED INDIA INSURANCE COMPANY LTD.
A PUBLIC SECTOR UNDERTAKING COMPANY, REGISTERED AND
INCORPORATED UNDER THE COMPANIES ACT. 1956, HAVING ITS
REGISTERED OFFICE AT 24 WHITES ROAD, CHANNAI 600014 AND ONE OF
ITS REGIONAL OFFICE AT CHIBBER HOUSE, 2ND FLOOR, GS ROAD,
GUWAHATI , 5 REPRESENTED BY REGIONAL MANAGER, GUWAHATI ,
ASSAM

VERSUS

MAFIJUL ISLAM AND ORS.
S/O LATE HATEM ALI,
RESIDENT OF VILLAGE BORGULU, NO. 3. PO AND PS ULUANI, DIST
NAGAON, ASSAM 782460

2:MRS. MAFIDA BEGUM
W/O MAFIJUL ISLAM
RESIDENT OF VILLAGE BORGULU
NO. 3. PO AND PS ULUANI
DIST NAGAON
ASSAM 782460

3:RABIYA KHATUN
W/O LATE MAJAHARUL ISLAM
RESIDENT OF VILLAGE BORGULU
NO. 3. PO AND PS ULUANI
DIST NAGAON
ASSAM 782460

4:RAHAN TASRIF
MINOR TO BE REP. BY HIS MOTHER RABIYA KHATUN
RESIDENT OF VILLAGE BORGULU

NO. 3. PO AND PS ULUANI
DIST NAGAON
ASSAM 782460

5:SRI DIPAK BARUAH
S/O LATE MINA RAM BARUAH

RESIDENT OF BAGHAR CHUBURI
PO AND PS TEZPUR
DIST SONITPUR
ASSAM 784001

6:SRI NAYAN JYOTI BORA
S/O RATUL CH. BORA

RESIDENT OF VILLAGE AUNIATI
PO RURANIGUDAM
PS NAGAON SADAR
DIST NAGAON
ASSAM
78214

Advocate for the Petitioner : MR. R C PAUL

Advocate for the Respondent : K U AHMED

**BEFORE
HONOURABLE MR. JUSTICE AJIT BORTHAKUR**

ORDER

Date : 22.12.2022

Heard Mr. RC Paul, learned counsel for the appellant.

By this appeal under Section 173 of the MV Act, the appellant has prayed for setting aside and quashing of the Judgment and Award, dated 31.08.2022 passed by the learned Member, MACT, Nagaon in MAC Case No. 64/2019.

The appeal is admitted subject to deposit of 50% of the awarded amount of Rs.

16,22,000/- before the Registry of this Court to the claimant No.1 (b) namely, Mafida Begum on executing bond and on proper identification.

Call for the LCR.

Issue **notice** to the respondents.

The appellant/applicant shall take steps for service of notice upon the respondents by registered post with A/D post.

List the matter on receipt of the LCR.

JUDGE

Comparing Assistant