

GAHC010247392024



undefined

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

**Case No. : MACApp./31/2026**

RAHIMA BEGUM CHOUDHURY  
W/O LATE JAMIR UDDIN, S.S ROAD LAKHTOKIA PANBAZAR, GUWAHATI  
01, DIST KAMRUP M ASSAM

VERSUS

BAJAJ ALLIANZ GENERAL INSURANCE CO LTD AND 9 ORS  
REPRESENTED BY THE REGIONAL MANAGER G.S ROAD, CENTRE POINT  
2ND FLOOR, ULUBARI, GUWAHATI 07 ALSO HAVING A DIVISIONAL  
OFFICE, KAKATI BHAWAN, 1ST FLOOR, MAIN MARKET, MAIN ROAD, DIST  
BONGAIGAON, ASSAM 783380

2:SRI SOMENDU BIKASH NARZARY  
S/O LATE RAMESWAR NARZARY  
VILLAGE PASCHIM BORAGAON  
MIKIRGHULI  
PO DEVKOTANAGAR  
PS GARCHUK  
DIST KAMRUP M ASSAM781011

3:MD. ASURUDDIN ALI  
FATHER OF THE DECEASED

.  
RESIDENT OF PUB DAKHIN ABADI  
PO CHAKIHALI  
PS MANIKPUR DIST BONGAIGAON  
ASSAM 783392

4:SMTI JARINA KHATUN  
MOTHER OF THE DECEASED

.  
RESIDENT OF PUB DAKHIN ABADI

PO CHAKIHALI  
PS MANIKPUR DIST BONGAIGAON  
ASSAM 783392

5:MISS MASUMA KHATUN  
BROTHER OF THE DECEASED

.  
RESIDENT OF PUB DAKHIN ABADI  
PO CHAKIHALI  
PS MANIKPUR DIST BONGAIGAON  
ASSAM 783392

6:MD. AZIZUL ALI (MINOR)  
BROTHER OF THE DECEASED

.  
RESIDENT OF PUB DAKHIN ABADI  
PO CHAKIHALI  
PS MANIKPUR DIST BONGAIGAON  
ASSAM 783392

7:MD. SHAKIL ALI (MINOR)  
BROTHER OF THE DECEASED

.  
RESIDENT OF PUB DAKHIN ABADI  
PO CHAKIHALI  
PS MANIKPUR DIST BONGAIGAON  
ASSAM 783392

8:MISS AKHTARA KHATUN (MINOR)  
SISTER OF THE DECEASED

.  
RESIDENT OF PUB DAKHIN ABADI  
PO CHAKIHALI  
PS MANIKPUR DIST BONGAIGAON  
ASSAM 783392

9:MISS MOUSUMI KHATUN (MINOR)  
SISTER OF THE DECEASED

.  
RESIDENT OF PUB DAKHIN ABADI  
PO CHAKIHALI  
PS MANIKPUR DIST BONGAIGAON  
ASSAM 783392.

RES. NO. 4 TO 7 ARE MINOR AND REP. BY RES. NO. 1 AND 2

10:MD. ANAMUL HOQUE LASKAR

S/O SHAFIQR RAHMAN LASKAR

RESIDENT OF PASCHIM NILBAGAN  
PO NILBAGAN  
DIST HOJAI  
ASSAM 78244

**Advocate for the Petitioner** : MR. I A TALUKDAR, MR. B HUSSAIN

**Advocate for the Respondent** : , MR. N I KHAN (R-10),MRS. M TALUKDAR(R-10),MR. S Z RAHMAN(R-10),MR. S ALIM (R-3,54,5,6),MR. B HUSSAIN(R-3,54,5,6),MR. A BHATTACHARYYA (R-1)

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

**ORDER**

**23.02.2026**

**[1]** Heard Mr. I.A. Talukdar, the learned counsel for the appellant. Also heard Mr. S.Ali, the learned counsel for the respondent Nos. 2 to 8 as well as Mr. N.I. Khan, the learned counsel for the respondent No. 10.

**[2]** This appeal under Section 173 of the Motor Vehicles Act, 1988 has been filed by Mrs Rahima Begum Choudhury, impugning the judgment and award dated 08.01.2024, passed by the learned Member, MACT No. 2, Kamrup (M) in MAC Case No. 212 of 2017, whereby the appellant who is the owner of the Innova Vehicle bearing Registration No. AS-01/AD-7088 was directed to pay 50% of the awarded amount, along with the owner of the vehicle bearing Registration No. AS-01/BR-8989(i20 Car) to the claimants along with an interest @ of 6.5 % per annum from the date of filing of the claim petition till the date of realization.

**[3]** The appeal is admitted.

**[4]** Issue notice to the respondents

**[5]** Since Mr. S. Ali, has already appeared for the respondent Nos. 2 to 8 and Mr. N.I. Khan, has also already appeared for the respondent No. 10, no formal notice need to be issued to the said respondents.

**[6]** Mr. A. Bhattacharyya has appeared for respondent No. 1. Hence, no formal notice need to be issued to the respondent No. 1 also.

**[7]** Let this matter be listed after receipt of the records from the MACT on 1<sup>st</sup> April, 2026.

**JUDGE**

**Comparing Assistant**