

GAHC010247392024



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**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**

**Date : 01.04.2026**

1. Heard Mr. I.A. Talukdar, learned counsel for the appellant. Also heard Mr. S. Alim, learned counsel for respondent No.2 to 8 as well as Mr. N.I. Khan, learned counsel appearing for respondent No. 10.
2. None has appeared for the other respondent.
3. It appears from records that MAC Case No. 212/2017 which was called for from Motor Accident Claims Tribunal No. 2 Kamrup, has not yet been received.
4. Registry to issue reminder for the same.
5. Learned counsel for respondent No.2 to 8 has pointed out that since the appellant first directed to pay the 50% of the awarded amount by the Tribunal, hence under first proviso of Section 173 of the Motor Vehicle Act, the appellant is required to deposit statutory amount of Rs.25,000/-, even for entertaining appeal by the High Court which he had not yet deposited.
6. On this Mr. I.A. Talukdar, learned counsel for the appellant submits that he may be granted some time for making statutory deposit.

7. The prayer is allowed.
8. List this matter again on **03.06.2026**.

**JUDGE**

**Comparing Assistant**