

GAHC010247392024



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

Case No. : I.A.(Civil)/191/2026

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 782445

Advocate for : MR. I A TALUKDAR
Advocate for : appearing for BAJAJ ALLIANZ GENERAL INSURANCE CO LTD
AND 9 ORS

in
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

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S/O LATE RAMESWAR NARZARY
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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 applicant/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 interlocutory application has been filed by the applicant/appellant under Order 41 Rule 5 of the Code of Civil Procedure, 1908 praying for stay of execution of the impugned judgment and award as against the present appellant(judgment dated 08.01.2024), passed in MACCase No. 212/17. The said judgment has been impugned by the applicant in the connected

MACAppeal No. 31/2026.

[3] The learned counsel for the respondent Nos. 2 to 8 has submitted that he has not received the copy of the interlocutory application.

[4] The learned counsels for the other respondents have also submitted in the same manner.

[5] The learned counsel for the applicant is directed to furnish the copy of the interlocutory application to the learned counsel for the respondents within 2(two) days from the date of this order.

[6] List along with the connected I.A. on 1st April, 2026.

JUDGE

Comparing Assistant