

GAHC010259332019



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

Case No. : MACApp./572/2022

UNITED INDIA INSURANCE COMPANY LIMITED
HAVING ITS REGISTERED OFFICE AT 24, WHITES ROAD, CHENNAI- 600014
REPRESENTED BY ITS REGIONAL OFFICE, G.S. ROAD, GUWAHATI-5
VERSUS

SHRI PADAM CHAND JAIN AND 5 ORS
S/O SRI DHARAM CHAND JAIN, RESIDENT OF HOTEL RELAX BUILDING,
2ND FLOOR, SRCB ROAD, FANCY BAZAR, GUWAHATI, P.S. PANBAZAR,
DIST. KAMRUP(M), ASSAM, PIN 781001 PRESENTLY RESIDING AT C/O
NEHA APARTMENT, BLOCK 7B, 6TH FLOOR, ATHGAON, GUWAHATI, PIN
781001, MOBILE 7670006501

2:SMT. VAISHALI JAIN
D/O SRI PADAM CHAND JAIN
RESIDENT OF HOTEL RELAX BUILDING
2ND FLOOR
SRCB ROAD
FANCY BAZAR
GUWAHATI
P.S. PANBAZAR
DIST. KAMRUP(M)
ASSAM
PIN 781001
PRESENTLY RESIDING AT C/O NEHA APARTMENT
BLOCK 7B
6TH FLOOR
ATHGAON
GUWAHATI
PIN 781001
MOBILE 7670006501

3:SRI RISHAB PHUKAN
S/O LATE JITEN PHUKAN
C/O S. PHUKAN
ANUBHAV APARTMENT
FLAT NO. 006

BELTOLA
BASISTHAPUR
GUWAHATI
DIST. KAMRUP(M)
ASSAM
PIN 781029
MOBILE 9435051900
OWNER OF VEHICLE NO. AS-01-FC-6100(BUS)
4:SRI RITU GOGOI
S/O BISWA GOGOI
R/O VILLAGE GOURISAGAR
BUS GAON
DIST. SIBSAGAR
ASSAM
DRIVER OF VEHICLE NO. AS-01-FC-6100(BUS)
5:MRS. RANJITA SARMA
W/O MAHESH SARMA
R/O 4TH FLOOR
VISHNU MARKET
AT ROAD
NEAR RAILWAY GATE NO.5
GUWAHATI
DISTRICT KAMRUP(M)
ASSAM
PIN 781001
MOBILE NO. 9435191566
OWNER OF VEHICLE NO. AS-01-AX-1133 (NISSAN CAR)
6:M/S BAJAJ ALLIANZ GENERAL INSURANCE CO. LTD.
REGISTERED AND HEAD OFFICE AT GE PLAZA
AIRPORT ROAD
YERWADA
PUNE
PIN 411006.

AND HAVING ONE OF ITS GUWAHATI ZONE(B) OFFICE AT CENTRE POINT
2B
2ND FLOOR
NH CENTRE POINT
OPPOSITE TO BORA SERVICE STATION
G.S. ROAD
ULUBARI
GUWAHATI-781007
INSURER OF VEHICLE NO. AS-01-AX-1133 (NISSAN CAR)

Advocate for the Petitioner : MR S S SHARMA

Advocate for the Respondent : MR. S K JAIN

**BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI**

ORDER

Date : 26.08.2022

Heard Mr. H. Buragohain, learned counsel for the appellant/ Insurance Company and Mr. S.K. Jain, learned counsel for the respondent/ claimant Nos. 1 and 2.

This appeal has been filed under Section 173 of the Motor Vehicles Act, 1988 against the judgment and award dated 24.04.2019, passed by the learned Member, Motor Accident Claims Tribunal No. 3, Kamrup (Metro), Guwahati in MAC Case No. 672/2016.

The appeal is admitted.

Call for the LCR.

Issue notice to the respondent Nos. 3 to 6.

The appellant shall take steps for service of notice upon the respondent Nos. 3 to 6 by registered post with A/D as well as by usual process, returnable by four weeks.

Steps be taken within three days from today.

No formal notice need be served upon the respondent Nos. 1 and 2 as Mr. S.K. Jain, learned counsel has entered appearance and accepted notice on behalf of the respondent Nos. 1 and 2.

However, extra copy of the memo of appeal and its annexures appended thereto be served to the learned counsel for the respondent Nos. 1 and 2 within three days from today.

List the matter after four weeks.

JUDGE

Comparing Assistant