

GAHC010028342023



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

Case No. : I.A.(Civil)/580/2023

ON THE DEATH OF PRADIP HAZARIKA
HIS LEGAL HEIRS

1.1: MRS. RINKY ROY HAZARIKA
W/O LATE PRADIP HAZARIKA
R/O VILL-CHARIGAON
P.O. AND P.S.-DERGAON
DIST-GOLAGHAT-735614
ASSAM

1.2: RISHAL HAZARIKA
S/O LATE PRADIP HAZARIKA
R/O VILL-CHARIGAON
P.O. AND P.S.-DERGAON
DIST-GOLAGHAT-735614
ASSAM

1.3: MISS RIPSY HAZARIKA
D/O LATE PRADIP HAZARIKA
R/O VILL-CHARIGAON
P.O. AND P.S.-DERGAON
DIST-GOLAGHAT-735614
ASSA

VERSUS

ROMEN DAS AND 2 ORS.
S/O LATE PRAFULLA DAS, R/O VILL-BILOTIA, NEGHIRITING, P.S.-
DERGAON, DIST-GOLAGHAT-785703, ASSAM (DRIVER OF THE CAR NO AS-
03-D-5342)

2:PANKAJ DAS
S/O LATE PRAFULLA DAS
R/O VILL-BILOTIA

NEGHERITING
P.S.-DERGAON
DIST-GOLAGHAT-785703 ASSAM (OWNER OF CAR NO-AS-03-D-5342)

3:THE REGIONAL MANAGER
ORIENTAL INSURANCE CO. LTD.
G.S. ROAD
ULUBARI
GUWAHATI-781007
DIST-KAMRUP (M)
ASSAM
(INSURER OF CAR NO. AS-03-D-5342)

Advocate for the Petitioner : MR. A R AGARWALA

Advocate for the Respondent : MR. R C PAUL

Linked Case : I.A.(Civil)/581/2023

ON THE DEATH OF PRADIP HAZARIKA
HIS LEGAL HEIRS

1.1: MRS. RINKY ROY HAZARIKA
W/O LATE PRADIP HAZARIKA
R/O VILL-CHARIGAON
P.O. AND P.S.-DERGAON
DIST-GOLAGHAT-735614
ASSAM

1.2: RISHAL HAZARIKA
S/O LATE PRADIP HAZARIKA
R/O VILL-CHARIGAON
P.O. AND P.S.-DERGAON
DIST-GOLAGHAT-735614
ASSAM

1.3: MISS RIPSY HAZARIKA
D/O LATE PRADIP HAZARIKA
R/O VILL-CHARIGAON
P.O. AND P.S.-DERGAON
DIST-GOLAGHAT-735614
ASSAM
VERSUS

ROMEN DAS AND 2 ORS.
S/O LATE PRAFULLA DAS
R/O VILL-BILOTIA
NEGHIRITING
P.S.-DERGAON
DIST-GOLAGHAT-785703
ASSAM (DRIVER OF THE CAR NO AS-03-D-5342)

2:PANKAJ DAS
S/O LATE PRAFULLA DAS
R/O VILL-BILOTIA
NEGHERITING
P.S.-DERGAON
DIST-GOLAGHAT-785703 ASSAM (OWNER OF CAR NO-AS-03-D-5342)
3:THE REGIONALA MANAGER
ORIENTAL INSURANCE CO. LTD.
G.S. ROAD
ULUBARI
GUWAHATI-781007
DIST-KAMRUP (M)
ASSAM
(INSURER OF CAR NO. AS-03-D-5342)

Advocate for : MR. A R AGARWALA
Advocate for : MR. R C PAUL appearing for ROMEN DAS AND 2 ORS.

Linked Case : MACApp./28/2017

SRI PRADIP HAZARIKA
S/O SRI SONTI HAZARIKA
R/O VILL. CHARAIGAON
P.O. and P.S. DERGAON
DIST. GOLAGHAT
ASSAM
PERMANENT R/O GANESHGURI
P.S. DISPUR
GUWAHATI 781005
DIST. KAMRUP M
ASSAM.

VERSUS

SRI ROMEN DAS and 2 ORS
S/O LATE PRAFULLA DAS

R/O VILL. BILOTIA
NEGHIRITING
P.S. DERGAON
DIST. GOLAGHAT
ASSAM

2:PANKAJ DAS

S/O LATE PRAFULLA DAS
R/O VILL. BILOTIA
NEGHIRITIG
P.S. DERGAON
DIST. GOLAGHAT
ASSAM.
3:THE REGIONAL MANAGER

ORIENTAL INSURANCE CO. LTD. G.S. ROAD
ULUBARI
GUWAHATI-7
ASSAM

Advocate for : MS.D PAUL
Advocate for : MR. R C PAUL (R3) appearing for SRI ROMEN DAS and 2 ORS

Linked Case : I.A.(Civil)/582/2023

ON THE DEATH OF PRADIP HAZARIKA
HIS LEGAL HEIRS

1.1: MRS. RINKY ROY HAZARIKA
W/O LATE PRADIP HAZARIKA
R/O VILL-CHARIGAON
P.O. AND P.S.-DERGAON
DIST-GOLAGHAT-735614
ASSAM

1.2: RISHAL HAZARIKA
S/O LATE PRADIP HAZARIKA
R/O VILL-CHARIGAON
P.O. AND P.S.-DERGAON
DIST-GOLAGHAT-735614
ASSAM

1.3: MISS RIPSY HAZARIKA
D/O LATE PRADIP HAZARIKA
R/O VILL-CHARIGAON

P.O. AND P.S.-DERGAON
DIST-GOLAGHAT-735614
ASSAM
VERSUS

ROMEN DAS AND 2 ORS.
S/O LATE PRAFULLA DAS
R/O VILL-BILOTIA
NEGHIRITING
P.S.-DERGAON
DIST-GOLAGHAT-785703
ASSAM (DRIVER OF THE CAR NO AS-03-D-5342)

2:PANKAJ DAS
S/O LATE PRAFULLA DAS
R/O VILL-BILOTIA
NEGHERITING
P.S.-DERGAON
DIST-GOLAGHAT-785703 ASSAM (OWNER OF CAR NO-AS-03-D-5342)
3:THE REGIONALA MANAGER
ORIENTAL INSURANCE CO. LTD.
G.S. ROAD
ULUBARI
GUWAHATI-781007
DIST-KAMRUP (M)
ASSAM
(INSURER OF CAR NO. AS-03-D-5342)

Advocate for : MR. A R AGARWALA
Advocate for : MR. R C PAUL appearing for ROMEN DAS AND 2 ORS.

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 17.03.2023

Heard Mr.A.R.Agarwala, learned counsel appearing for the applicant. Also heard Mr.A.R.Das, learned counsel appearing for the respondent No.3/ Oriental Insurance Company Ltd.

Issue notice to the respondents.

No formal notice is required to be sent to the respondent No.3 as Mr.A.R.Das, learned counsel appearing for the respondent No.3 has accepted notice.

The applicant shall take steps for service of notice upon respondent Nos. 1 and 2 by registered post with A/D within 1(one) week.

List after 4(four) weeks.

JUDGE

Comparing Assistant