

GAHC010283352025



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

Case No. : MACApp./595/2025

SRI SUKAMAL KHATONIAR
S/O N.N. KHATONIAR, R/O SRIPURIA, P.O. SRIPURIA, P.S. AND DIST.
TINSUKIA, ASSAM, PIN 786125

VERSUS

BIRENDRA PRASAD AND 2 ORS
S/O LATE RAM PRABESH PRASAD, R/O BORMURA MIRI PATHAR, PO.
SAIKHOWAGHAT, P.S. DHOLLA, DIST. TINSUKIA, ASSAM.

2:SRI RUPAM BOR BORUAH
S/O HEMANTA BOR BORUAH
R/O JORIGURI
P.O. BORGURI
P.S. AND DIST. TINSUKIA
ASSAM.

3:THE NEW INDIA ASSURANCE CO. LTD.
REPRESENTED BY ITS DIVISIONAL MANAGER
HAVING DIVISIONAL OFFICE AT 2ND FLOOR PLAZA COMPLEX
RONGAGORA
P.O.
P.S. AND DIST. TINSUKIA
ASSAM

Advocate for the Petitioner : MR. ABHINAY KUMAR GUPTA, MS M NIROLA

Advocate for the Respondent : ,

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

ORDER

Date : 19.12.2025

- 1.** Heard Mr. A. K. Gupta, learned counsel for the appellant.
- 2.** This appeal under Section 173 of the Motor Vehicles Act, 1988 has been filed by the appellant/Owner of the offending vehicle impugning the judgment and award dated 14.08.2025 passed by the learned Member, Motor Accident Claims Tribunal No. 2, Tinsukia in MAC Case No. 21/2023.
- 3.** The appeal is admitted.
- 4.** Issue notice to the respondents.
- 5.** Call for the records of MAC Case No. 21/2023 from the concerned Motor Accident Claims Tribunal.
- 6.** The appellant shall take steps for issuance of notice upon the respondents by speed post as well as by usual mode within seven days from the date of this order, returnable on 11th of February, 2026.
- 7.** List accordingly.

JUDGE

Comparing Assistant