

GAHC010288182018



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

Case No. : MACApp. 153/2019

1:ORIENTAL INSURANCE COMPANY LIMITED
A CENTRAL GOVERNMENT UNDERTAKING HAVING ITS REGIONAL
OFFICE AT GUWAHATI ULUBARI, GUWAHATI 781007 REPRESENTED BY
THE ASSISTANT MANAGER, GAUHATI REGIONAL OFFICE, ULUBARI,
GUWAHATI 781007

VERSUS

1:SMTI DIPALI KALITA AND 6 ORS
W/O LATE SAMBHU KALITA,
RESIDENT OF KAILASHPUR, PO ASSAM SCHIVALAYA, PS DISPUR,
GUWAHATI , DIST KAMRUP M ASSAM, 781006

2:MISS DIPAMONI KALITA.
D/O LATE SAMBHU KALITA

RESIDENT OF KAILASHPUR
PO ASSAM SCHIVALAYA
PS DISPUR
GUWAHATI
DIST KAMRUP M ASSAM
781006

3:MISS PUROBI KALITA
D/O LATE SAMBHU KALITA

RESIDENT OF KAILASHPUR
PO ASSAM SCHIVALAYA
PS DISPUR
GUWAHATI
DIST KAMRUP M ASSAM
781006

4:SRI BIKASH KALITA

S/O LATE SAMBHU KALITA

RESIDENT OF KAILASHPUR
PO ASSAM SCHIVALAYA
PS DISPUR
GUWAHATI
DIST KAMRUP M ASSAM
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5:SRI HEMANTA KALITA
S/O LATE SAMBHU KALITA

RESIDENT OF KAILASHPUR
PO ASSAM SCHIVALAYA
PS DISPUR
GUWAHATI
DIST KAMRUP M ASSAM
781006

6:SRI MAKUB HAZARIKA
S/O LATE MAZNU HAZARIKA

RESIDENT OF HOUSE NO. 5
UDAYACHAL CHRISTAIN BASTI
PO CHRISTAIN BASTI
PS DISPUR
GUWAHATI DIST KAMRUP M ASSAM OWNER

7:AZAHAR ALI
S/O AZID ALI

R/O VILLAGE DIPTA
PO SURADI
PS NALBARI
ASSAM
781340 DRIVE

Advocate for the Petitioner : MS. R D MOZUMDAR

Advocate for the Respondent :

Linked Case : I.A.(Civil) 851/2019

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Advocate for the Petitioner : MS. R D MOZUMDAR
Advocate for the Respondent :

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 13-03-2019

Heard Ms. R. D. Mozumdar, learned counsel for the appellant.

This appeal is preferred under section 173, Motor Vehicles Act, 1988 against the judgment and award dated 05.10.2018 passed by the Motor Accident Claims Tribunal No. 2, Kamrup(M), Guwahati in MAC Case No. 134/2016. By the judgment and award dated

05.10.2018, the Claims Tribunal has awarded an amount of Rs. 10,12,800/- along with interest at Bank rate for fixed deposit from 03.07.2017 to the respondents-claimants.

The appeal is admitted for hearing.

Issue notice on the respondents, returnable in 6 (six) weeks.

The appellant shall take steps for service of notice on the respondents by registered post with AD and by usual process in 5 (five) days.

LCR be called for.

List the matter after **6 (six) weeks**.

JUDGE

Comparing Assistant