

GAHC010319852019



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

**Case No. : I.A.(Civil) 211/2020**

1:NEW INDIA ASSURANCE COMPANY LTD.  
HAVING ITS REGISTERED AND HEAD OFFICE AT NEW INDIA ASSURANCE BUILDING  
87  
MAHATMA GANDHI ROAD  
FORT  
MUMBAI-400001 AND REGIONAL OFFICE AT G.S. ROAD  
GUWAHATI-5  
REP. BY THE CHIEF REGIONAL MANAGER.

VERSUS

1:SHRI DEBEN DOIMARY AND 3 ORS.  
S/O- LATE BULARAM DOIMARY  
R/O- VILL. NO. 1 HASONG GAON  
P.S. SIMEN CHAPORI  
DIST.- DHEMAJI  
ASSAM.

2:SMT. REEMALI DAIMARY  
W/O- SHRI DEBEN DAIMARY  
R/O- VILL. NO. 1 HASONG GAON  
P.S. SIMEN CHAPORI  
DIST.- DHEMAJI  
ASSAM.

3:SHRI ARUN DAS  
S/O- SHRI BUDHESWAR DAS  
VILL.- BOGORIJURI HALWA GAON  
P.O. KAHORA  
P.S. BOKAKHAT  
DIST.- GOLAGHAT  
ASSAM. (DRIVER OF THE OFFENDING VEHICLE NO. AS-01/EC-6398).

4:SHRI PRAKASH KALITA

S/O- LATE KANDARPA KALITA  
VILL.- WEST BORAGAON  
MILA PATH  
H/NO. 8  
P.O. GOTANAGAR  
P.S. GARCHUCK  
DIST.- KAMRUP(M)  
GUWAHATI

ASSAM. (OWNER OF THE OFFENDING VEHICLE NO. AS-01/EC-6398).

Advocate for the Petitioner : MR SISHIR DUTTA

Advocate for the Respondent :

Linked Case : MACApp. 17/2020

1:NEW INDIA ASSURANCE COMPANY LTD.  
HAVING ITS REGISTERED AND HEAD OFFICE AT NEW INDIA ASSURANCE  
BUILDING, 87, MAHATMA GANDHI ROAD, FORT, MUMBAI-400001 AND  
REGIONAL OFFICE AT G.S. ROAD, GUWAHATI-5, REP. BY THE CHIEF  
REGIONAL MANAGER.

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**Advocate for the Petitioner** : MR SISHIR DUTTA

**Advocate for the Respondent** :

**BEFORE**  
**HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA**

**ORDER**

**Date : 31-01-2020**

Heard Mr. S. Dutta, the learned counsel for the applicant/appellant.

On considering the grounds of appeal taken by the applicant/appellant, the impugned Judgment & Award dated 27.09.2019 passed by the MACT, Dhemaji in MAC Case No. 12/2015 is stayed, subject to deposit of 50% of the awarded amount in the Registry of this Court, within a period of 6 (six) weeks from today.

I.A. is accordingly disposed of.

**JUDGE**

**Comparing Assistant**