



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

Case No. : MACApp./28/2025

RELIANCE GENERAL INS. CO.LTD.
HAVING ITS REGISTERED AND HEAD OFFICE IN 6TH FLOOR, OBEROI
COMMERZ INTERNATIONAL BUSINESS PARK OBEROI GARDEN CITY, OFF
WESTERN EXPRESS HIGHWAY, GOREGAON (EAST), MUMBAI-400063 AND
REGIONAL AND DIVISIONAL OFFICES IN SEVERAL PLACES IN INDIA
INCLUDING A REGIONAL OFFICE AT GUWAHATI, ASSAM

VERSUS

SMTI. CHUNNI PODDAR AND 5 ORS
WIFE OF LATE KRISHNA KUMAR PODDAR.
PRESENTLY RESIDING AT H.NO. 8, SIGNAL RANA COLONY,
SIGNAL ANGAMI, DIMAPUR, NAGALAND.

2:MASTER RUDRA PODDAR
SON OF LATE KRISHNA KUMAR PODDAR
PRESENTLY RESIDING AT H.NO. 8
SIGNAL RANA COLONY
SIGNAL ANGAMI
DIMAPUR
NAGALAND.

3:MASTER BISHAL PODDAR
SON OF LATE KRISHNA KUMAR PODDAR
PRESENTLY RESIDING AT H.NO. 8
SIGNAL RANA COLONY
SIGNAL ANGAMI
DIMAPUR
NAGALAND.

4:SMTI. SANDHYA DEVI PODDAR
MOTHER OF LATE KRISHNA KUIMAR PODDAR
PRESENTLY RESIDING AT H.NO. 8
SIGNAL RANA COLONY

SIGNAL ANGAMI
DIMAPUR
NAGALAND.

5:SHRI REIKIBUDDIN KHAN
SON OF JALALUDDIN KHAN
VILL- AMRAJAN
SARIAJAN
PS- BOKAJAN
KARBIANGLONG
ASSAM

6:MR. NAZIM UDDIN
SON OF SURMAN ALI
VILL- IKRANI BASTI
P.S. BOKAJAN
KARBIANGLONG
ASSA

Advocate for the Petitioner : VIKRAMJEET DEVNATH,

Advocate for the Respondent : ,

BEFORE
HON'BLE MRS. JUSTICE YARENJUNGLA LONGKUMER

ORDER

Date : 13.03.2026

The Instant appeal under section 173 of the Motor Vehicles Act, 1988 has been preferred by the appellant Insurance Company assailing the judgment and award dated 08.09.2025 passed by the learned MACT Dimapur in MAC Case No.51/2024.

Heard the learned counsel for the appellant Mr. V. Devnath.

The main ground taken by the appellant is that the claimants/respondents had not been able to prove rash and negligent driving by conclusive and concrete evidences. However, the

learned Tribunal has failed to appreciate this aspect of the matter and passed the impugned order. It is also submitted that there was head-on collision between two vehicles thereby indicating contributory negligence. However, the learned Tribunal has erroneously settled the entire liability upon the appellant Insurance Company without any determination regarding contributory negligence.

Issue notice returnable in 4(four) weeks.

The appellant shall take steps for notice on the respondent Nos. 1 to 6 by speed post as well as by usual process within 3 working days from today.

List the matter after **4(four)** weeks.

**Sd/-
JUDGE**

Comparing Assistant