

GAHC010030742024



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

Case No. : I.A.(Civil)/482/2024

SAHID ALI
S/O LATE MAFIZ ALI,
VILL.- AMINGAON MARIAPATTY, P.O.- AMINGAON, PIN- 781031, P.S.-
NORTH GUWAHATI, DIST.- KAMRUP, ASSAM.

VERSUS

M/S SHRIRAM GENERAL INSURANCE COMPANY LIMITED
HAVING ITS REGISTERED HEAD OFFICE AT E-8, EPIP, SITAPURA
INDUSTRIES AREA, JAIPUR, RAJASTHAN- 302022 WITH ONE OF ITS
BRANCH OFFICE AT B.R. ARCADE, 3RD FLOOR, ULUBARI, GUWAHATI-
781007, (REP. BY ITS ASSISTANT MANAGER (LEGAL)).

Advocate for the Petitioner : MR D MONDAL (R

Advocate for the Respondent : MR. P HAZARIKA

BEFORE
HONOURABLE MR. JUSTICE BUDI HABUNG

ORDER

Date : 26-02-2024

Heard Mr. D. Mondal, learned counsel for the applicant/respondent No.1. I have also heard Mr. P. Hazarika, learned counsel for the opposite party/appellant.

By this application the applicant is seeking direction of this Court to release 50% of the awarded money deposited by the opposite party/appellant in compliance of the order dated 13.12.2023, passed in I.A. C) 3687/2023.

By an order dated 13.12.2023 this Court while staying the operation of the judgment and award dated 11.09.2023 passed by the learned Member MACT No. 2 Karmup (M) Guwahati in MAC Case No. 1833/2020 has directed for depositing the 50% of the awarded amount before the Registry of this Court within 6(six) weeks from the said date.

In compliance of the said order the appellant/opposite party had deposited an amount of Rs. 12,072, 21/- (Rupees twelve lakhs seventy two thousand and twenty one) only before the Registry of this Court on 19.01.2024.

By this application the applicant/respondent is seeking direction for release of the said amount deposited by the opposite party/appellant. The learned counsel for the opposite party/appellant has no objection for the release of the said amount provided the applicant/respondent furnish an indemnity bond.

In view of the above, the Registry is directed to release the said 50% of the awarded amount so deposited by the opposite party/appellant to the applicant/respondent, subject to the necessary verification and upon furnishing an indemnity bond of like amount.

At this stage, the learned counsel for the applicant/respondent also prays for a direction of this Court to deposit the sum of Rs.2,00,000/- (Rupees two lakhs) only in fixed deposit in the name of the applicant for 3 (three) years.

Prayer is allowed. The Registry shall do the needful.

With observation made above the I.A. stands disposed of.

JUDGE

Comparing Assistant