

GAHC010030832024



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

Case No. : I.A.(Civil)/486/2024

TULI GOHAIN AND 2 ORS.
M/O LATE LT. BHUBAN @ BHASKAR GOHAIN, RESIDENT OF VILLAGE
LAIPULI DIMARUGURI, PS TINSUKIA, PO PANITOLA, DIST TINSUKIA,
TEMPORARILY RESIDING AT SWARAL NAGAR, SARU MATARIA,
GUWAHATI KAMRUP ASSAM.

VERSUS

NEW INDIA ASSURANCE CO. LTD.
HAVING ITS REGISTERED AND HEAD OFFICE AT NEW INDIA ASSURANCE
BUILDING, 87, MAHATMA GANDHI ROAD, FORT, MUMBAI, 400001 AND
REGIONAL OFFICE AT GS ROAD, GUWAHATI 5, REPRESENTED BY THE
CHIEF REGIONAL MANAGER.

Advocate for the Petitioner : MR D MONDAL

Advocate for the Respondent : MR. S DUTTA

BEFORE
HONOURABLE MR. JUSTICE BUDI HABUNG

ORDER

Date : 04-03-2024

Heard Mr. D. Mondal, learned counsel for the applicant/respondent
no.1. Also heard Mr. S. Dutta, learned counsel for the opposite party/appellant.

By an order dated 15.05.2023, while staying the operation of the impugned judgment and award dated 27.09.2021 passed by the learned Member, MACT, Kamrup (M), Guwahati in MAC case no. 2118/2016, the opposite party/appellant was directed to deposit 75% of the awarded amount along with interest accrued thereon, before the Registry of this Court within a period of six weeks from the date of the said order.

In compliance of the said order dated 15.05.2023, the opposite party/appellant has deposited a sum of Rs. 10,88,006/- on 12.09.2023 before the Registry of this Court.

By this application, the applicant/ respondent no. 1 seeks for a direction to release the said deposited 75% of the awarded amount along with the accrued interest thereon deposited by the appellant in compliance to the order dated 15.05.2023 passed in I.A.(Civil)/1214/2023 in MAC case no. 180/2023.

The learned counsel for the opposite party/appellant raises no objection.

In view of the above, the applicant/respondent no. 1 is allowed to withdraw the said deposited 75% of the awarded amount along with the accrued interest thereon.

The Registry shall release the same to the applicant/respondent no.1 on proper verification and on being identified by their learned counsel.

With the above, this IA stands disposed of.

JUDGE

Comparing Assistant