

GAHC010047842023



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

Case No. : I.A.(Civil)/1106/2024

UNITED INDIA INSURANCE COMPANY LIMITED
A PUBLIC SECTOR UNDERTAKING COMPANY REGISTERED AND
INCORPORATED UNDER COMPANIES ACT
1956
HAVING ITS REGISTERED OFFICE AT 24 WHITE ROAD
CHENNAI- 600014 WITH ONE OF ITS REGIONAL OFFICE AT CHIBBER
HOUSE
2ND FLOOR
G.S. ROAD
GUWAHATI- 5
REP. BY ITS REGIONAL MANAGER
GUWAHATI
ASSAM.

VERSUS

MD. JOYAL ABEDIN AND ANR.
S/O ALIM UDDIN
VILL.- CHAKITUP
P.O.- CHOTAHAI BORGAN
P.S.- NAGAON
DIST.- NAGAON
ASSAM
PIN- 782001.

2:KOUSHIK LOHIA
S/O SAWARMAL LOHIA

VILL.- OLD A.T. ROAD
HAOBORGAN

C/O JANATA IRON STORE
P.O. AND P.S.- HAIBORGAON
DIST.- NAGAON
ASSAM
PIN- 782002.

Advocate for : MR. R C PAUL
Advocate for : appearing for MD. JOYAL ABEDIN AND ANR.

**BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA**

ORDER

22.04.2024

Heard Mr. R. C. Paul, learned counsel for the applicant.

This is an appeal filed under Order 41 Rule 5 *read with* Section 151 of the Code of Civil Procedure, Act, 1908 praying for stay of the impugned order dated 30.12.2022 passed by the learned Commissioner, Employees' Compensation, Nagaon in N.E.C. (WC) Case No. 62/2013 awarding a sum of Rs. 5,24,328/- (Rupees Five lakhs twenty-four thousand three hundred twenty-eight) only against the appellant to be paid within a period of 30 days from the date of receipt of the order, failing which, the appellant shall be liable to pay simple interest @ 9% from the date of accident till the date of realization.

Mr. R. C. Paul, learned counsel for the applicant, submits that the applicant is ready to deposit 50% of the awarded amount.

Considering the entire facts and circumstances of the case and in the interest of justice, pending disposal of the connected appeal, being MFA No.24/2024, operation of the impugned order dated 30.12.2022, passed by the learned Commissioner, Employees' Compensation, Nagaon in N.E.C. (WC) Case No. 62/2013, stands stayed subject to deposition of the 50% of the awarded amount before the Registry of this

Court within 6 (six) weeks.

In terms of above, this interlocutory application stands disposed.

JUDGE

Comparing Assistant