

GAHC010081672024



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

Case No. : I.A.(Civil)/1204/2024

DHARMENDRA CHOWDHURY @ BABLU
S/O LATE SARJU CHOWDHURY,
PERMANENT RESIDENT OF- TIRAP GATE, P.O. AND P.S.- LEKHAPANI,
DIST.- TINSUKIA, ASSAM, PIN- 786182.
PRESENT ADDRESS- NEAR TINSUKIA COLLEGE, KACHUJAN, P.O., P.S. AND
DIST.- TINSUKIA, ASSAM, PIN- 786125.

VERSUS

ORIENTAL INSURANCE CO. LTD. AND 2 ORS
HAVING ITS REGISTERED OFFICE AT ORIENTAL HOUSE, A-25/27, ASAF ALI
ROAD, NEW DELHI- 110002, AND REGIONAL OFFICE AT GUWAHATI- 7, REP.
BY THE REGIONAL MANAGER.

2:PASHUPATI SHARMA
S/O LATE TANKA NATH SHARMA

R/O NO. 3
RAMPUR
P.O. AND P.S.- RAMPUR
P.S.- LEKHAPANI
DIST.- TINSUKIA
ASSAM
PIN- 786188.

3:MONUJ SAIKIA @ BHAIKAN
S/O SURENDRA SAIKIA
R/O NO. 3
RAMPUR
P.O. AND P.S.- RAMPUR
P.S.- LEKHAPANI
DIST.- TINSUKIA
ASSAM
PIN- 786188

Advocate for the Petitioner : MR. S R GOGOI, J SAIKIA, MR. C SARMAH

Advocate for the Respondent : MR S DUTTA, MS. M CHOUDHURY

**BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA**

ORDER

Date : 01.10.2024

Heard Mr. S. R. Gogoi, learned counsel for the applicant. Also heard Ms. M. Choudhury, learned counsel for the opposite party/Insurance Company.

This application has been filed by the applicant/claimant praying for directing the Registry to release the amount of Rs.2,50,000/- (Rupees Two Lakh Fifty Thousand) which was deposited by the appellant before the Registry of this Court in pursuant to the order dated 21.08.2023 passed in I.A.(C) No. 2393/2023 in connection with MAC Appeal No. 327/2023.

The learned counsel for the opposite party/Insurance Company has submitted that she does not have any objection, provided the applicant furnishes an indemnity bond to the extent of the amount which has been deposited by the applicant.

Considering the submissions made by the learned counsel for the parties, the prayer is allowed.

The Registry is directed to release the deposited amount of Rs.2,50,000/- (Rupees Two Lakh Fifty Thousand) to the applicant/claimant, namely, Dharmendra Chowdhury @ Bablu on his furnishing an indemnity bond to the extent of Rs.2,50,000/- (Rupees Two Lakh Fifty Thousand), after proper verification.

This interlocutory application is accordingly disposed of.

JUDGE

Comparing Assistant