

GAHC010112132024



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

Case No. : I.A.(Civil)/1720/2024
in
MACApp./160/2024

SMTI. KASANG TISSOPI
W/O- MD SAIFUDDIN AHMED, R/O- DHARAMNALA, WARD NO. 3, DIPHU
TOWN, P.O. DEWAN BASTI, P.S. DIPHU, DIST.- KARBIANGLONG, ASSAM,
PIN- 782460.

VERSUS

UNION OF INDIA AND 2 ORS
REP. BY DIRECTOR GENERAL OF ASSAM RIFLES, C/O- 99 APO, EAST
KHASI HILLS, SHILLONG.

2:THE COMMANDING OFFICER
41 ASSAM RIFLES

C/O- 99 APO
PIN- 932041.

3:BIMAL SINGH SAMANT @ BIMAL SINGH SAMRAT @ BIMAL SINGH
SAMANI
S/O- ANN SINGH SAMANT
C/O- 41 ASSAM RIFLES
C/O- 99 APO

Advocate for the Petitioner : MR. M TALUKDAR

Advocate for the Respondent : MRS. A GAYAN

**BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

ORDER

19.06.2024

Heard Shri M. Talukdar, learned counsel for the applicant. Also heard Ms. A. Gayan, learned CGC for the respondent nos. 1 and 2.

2. It transpires that the opposite party nos. 1 and 2 had filed MACApp./160/2024 in this Court against the judgment and order dated 05.12.2019 by the learned MACT, Karbi Anglong, Diphu in MAC Case No. 1/2018. The aforesaid appeal has been admitted on 13.05.2024.

3. Shri Talukdar, learned counsel for the applicant has submitted that at least 50% of the awarded amount may be directed to be deposited with a further direction that the same be released to the claimant.

4. Ms. Gayan, learned CGC however submits that there are good grounds in the appeal which is likely to succeed. She has also submitted that two vehicles were involved and the entire liability has been saddled with the opposite party nos. 1 and 2.

5. Be that as it may, this Court is of the opinion that interest of justice would be served if 50% of the awarded amount is directed to be deposited in this Court. Accordingly, the opposite party nos. 1 and 2, who are the appellants, are directed to deposit 50% of the awarded amount in the Registry of this Court within a period of 45 days from today. On such deposit, the claimant would be entitled for release of the same on being properly identified by the learned counsel and upon furnishing a bond.

6. The I.A. accordingly stands disposed of.

JUDGE

Comparing Assistant