

GAHC010118352023



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

Case No. : I.A.(Civil)/814/2024

CHOLAMANDALAM MS GENERAL INSURANCE COMPANY LTD.
HAVING ITS REGISTERED OFFICE AND HEAD OFFICE AT DARE HOUSE
2ND FLOOR
NO. 2 N.S.C BOSE ROAD
CHENNAI
60001 AND ITS BRANCH OFFICE AT AASTHA PLAZA
4TH FLOOR
OPP. TO S.B DEORAH COLLEGE
G.S ROAD
GUWAHATI

VERSUS

JUTHIKA DAS AND 3 ORS. H
D/O LATE GITA HIRA DAS
RESIDENT OF VILLAGE ANANDA NAGAR
WARD NO. 7
MANGALDAI
DIST DARRANG
ASSAM 784125

2:SRI NILAM JYOTI DAS

S/O LATE GITA HIRA DAS

RESIDENT OF VILLAGE ANANDA NAGAR
WARD NO. 7
MANGALDAI
DIST DARRANG
ASSAM 784125

3:MISS BEETHIKA DAS
D/O LATE GITA HIRA DAS

RESIDENT OF VILLAGE ANANDA NAGAR
WARD NO. 7
MANGALDAI
DIST DARRANG
ASSAM 784125

4:SRI GANESH BORO
S/O LATE BAKARA BORO
RESIDENT OF VILLAGE BORIGAON
NO. 2
BORIGAON
PSMANGALDOI
DIST. DARRANG
ASSAM
784125

Advocate for : MS. P BORTHAKUR
Advocate for : appearing for JUTHIKA DAS AND 3 ORS. H

BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA
ORDER

03.05.2024

Heard Mr. R. Goswami, learned counsel for the applicant. Also heard Mr. D. Mondal, learned counsel for the respondent Nos. 1 to 3/claimants.

This application filed under Order XLI Rule V of the Code of Criminal Procedure, 1908, praying for stay of the operation of the impugned Judgment and Award dated 21.12.2022 passed by the learned Member, Motor Accident Claims Tribunal No.1, Kamrup (M) in MAC Case No.392/2016.

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

Considering the submissions of learned counsel for the parties and in the interest of justice, pending disposal of the connected appeal, being MAC.App./115/2024, operation of the impugned judgment and award, dated 21.12.2022, passed by the learned Member, Motor Accident Claims Tribunal No.1, Kamrup (M) in MAC Case No.392/2016, stands stayed/suspended 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