

GAHC010101822023



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

Case No. : I.A.(Civil)/2564/2024
in
MACApp./298/2024

M/S UNITED INDIA INSURANCE COMPANY LTD.
REGIONAL OFFICE
G. S ROAD GUWAHATI 05
REPRESENTED BY THE CHIEF REGIONAL MANAGER.

VERSUS

JATINDRA PAUL @ JATIN PAUL AND ANR. H
SON OF MADAN MOHAN PAUL
RESIDENT OF NIZ KATHIATOLI
PS KAMPUR
DIST NAGAON ASSAM 783360

2:MADHUMITA DUBEY
W/O RAMAYAN DUBEY C/O SHREE BHARAT CARRYING CORPORATION
BISHNUPUR MAIN ROAD
GUWAHATI 781009

Advocate for : MR. M DUTTA
Advocate for : appearing for JATINDRA PAUL @ JATIN PAUL AND ANR. H

BEFORE
HON'BLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

30-09-2024

Heard Mr. M. Dutta, learned counsel for the applicant.

This interlocutory application under Section 166 of the Motor Vehicles Act, 1988 has been filed by the applicant praying for stay of execution of impugned Judgment and Award dated 16.09.2022 passed by the learned Member, Motor Accident Claims Tribunal, Nagaon in MAC Case No. 284/2018 which has been impugned by the present applicant in the connected appeal which is registered as MAC Appeal No. 298/2024.

The learned counsel for the applicant has submitted by the impugned Judgment and Award dated 16.09.2022, the respondent/claimant was awarded compensation to the tune of Rs. 2,37,700/-.

The learned counsel for the applicant has also submitted that the applicant is ready to deposit 50% of the awarded amount to this Registry.

Considering the submissions made by the learned counsel for the applicant, notice to the respondent in this case is waived and this interlocutory application is allowed.

The execution of impugned judgment and award is hereby stayed subject to payment of 50% of the total awarded amount by the applicant before the Registry of this Court within a period of 4 (four) weeks from the date of this order.

After such deposition is made within the stipulated period of time, the Registry is directed to disburse the same to the respondent No. 1/claimant on his proper verification.

Accordingly, this interlocutory application stands disposed of.

JUDGE

Comparing Assistant