

GAHC010163922024



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

Case No. : I.A.(Civil)/2448/2024

SHAHIDUL ISLAM,
S/O MD. SULEMAN ALI,
R/O KATAJHAR GAON,
P.O.- KATAJHAR, P.S.- GOBARDHANA, DIST.- BAKSA (BTAD), ASSAM, PIN-
781315.

VERSUS

ORIENTAL INSURANCE COMPANY LTD. AND 2 ORS
(A CENTRAL GOVT. UNDERTAKING) HAVING ITS REGIONAL OFFICE AT
GUWAHATI, G.S. ROAD, ULUBARI, GUWAHATI- 781007, REP. BY THE
DEPUTY MANAGER, GAUHATI REGIONAL OFFICE, ULUBARI, GUWAHATI-
781005.

2:JAHIDUL ISLAM
S/O MD. SULEMAN ALI

R/O KATAJHAR GAON

P.O.- KATAJHAR
P.S.- GOBARDHANA
DIST.- BAKSA (BTAD)
ASSAM
PIN- 781315.

3:SURAJ JAMAL
S/O ABDUL JALIL

R/O KATAJHAR GAON

P.O.- KATAJHAR
P.S.- GOBARDHANA

DIST.- BAKSA (BTAD)
ASSAM
PIN- 781315

Advocate for the Petitioner : MR. A HUSSAIN, MR M AHMED,

Advocate for the Respondent : MS. R D MOZUMDAR,

BEFORE
HON'BLE MR. JUSTICE ROBIN PHUKAN

ORDER

19.08.2024

Heard Mr. A. Hussain, learned counsel for the applicant and also heard Ms. R.D. Mozumdar, learned counsel for the respondent No.1/appellant.

This interlocutory application is preferred by the applicant/claimant Shahidul Islam for releasing an amount of Rs.4,00,000/- to the applicant/claimant, deposited by the respondent No.1/appellant insurance company before the Registry of this Court, pursuant to the order dated 31.07.2023 passed in I.A.(Civil) No.2131/2013, arising out of MAC App. No.290/2023, by this Court.

The learned counsel for the applicant submits that pursuant to order of this Court in I.A.(Civil) No.2131/2013, the respondent No.1/appellant has deposited a sum of Rs.4,00,000/- before the Registry of this Court and the applicant/claimant may be permitted to withdraw the same from the Registry of this Court.

Ms. Mozumdar, however, opposed the application and submits that the appeal may be finally heard and dispose of.

The submission of learned counsel for both the parties are taken note of and considering the facts and circumstances on the record and also bearing in mind, the statement, object and reason of the Act, this Court is inclined to allow this application.

Accordingly, it is provided that on executing a bond of equal amount, the amount of Rs.4,00,000/- deposited with the Registry of this Court, be released in favour of the applicant.

In terms of above, the I.A. stands disposed of.

Sd/- Robin Phukan
JUDGE

Comparing Assistant