

GAHC010170332023



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

Case No. : I.A.(Civil)/2281/2023

MAMI KURMI
W/O LATE RANJIT KURMI, RESIDENT OF VILLAGE BHOLABORI, PO AND
PS NARAYANPUR, DIST LAKHIMPUR, ASSAM

VERSUS

BHARTIA INFRA PROJECTS LTD
REPRESENTED BY THE MANAGING DIRECTOR BHARTIA INFRA
PROJECTS LTD. 2ND FLOOR, ROYAL ARCADE, 201, KASTURVA NAGAR,
ULUBARI, GUWAHATI 781007

Advocate for the Petitioner : B R DAS, MS M BHARATI

Advocate for the Respondent : MR. S DAS, MR K DAS

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

Date : 06.09.2024

Heard Mr. B.R. Das, learned counsel for the applicant and Mr. K. Das, learned counsel for the opposite party.

2. This interlocutory application is preferred by the applicant, namely, Mami Kurmi for issuing direction to the appellant/opposite party to deposit 50% of the

awarded amount in respect of MFA No. 111/2022, against the present applicant.

3. Mr. Das, learned counsel for the applicant submits that in EC Case No. 1/2022, the Commissioner, Employees Compensation, North Lakhimpur has directed the opposite party to pay a sum of Rs. 11,14,424/- and against the said award, the opposite party has preferred an appeal before this Court which is registered as MFA No. 111/2022, and the said first appeal has already been admitted for hearing, and that the present applicant is a widow and she has no source of income and has also burden of looking after her minor children and as such, it is prayed that the appellant/opposite party may be directed to deposit 50% of the awarded amount i.e. Rs. 5,57,212/- before the Registry of this Court.

4. On the other hand, the learned counsel for the opposite party has opposed the application on various grounds.

5. However, considering the facts and circumstances on the record, and also considering the submission of learned Advocates of both the parties, it is provided that the appellant/opposite party shall deposit 50% of the awarded amount i.e. Rs. 5,57,212/- before the Registry of this Court within a period of three weeks from today.

6. However, liberty is granted to the applicant to withdraw the amount on executing a bond.

7. In terms of above, this I.A. stands disposed of.

JUDGE

Comparing Assistant