

GAHC010172572024



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

Case No. : Review.Pet./178/2024

NEW INDIA ASSURANCE COMPANY LTD
HAVING ITS REGISTERED OFFICE AT NEW INDIA ASSURANCE BUILDING
87, MAHATMA GANDHI ROAD, MUMBAI AND ONE OF THE REGIONAL
OFFICE AT G.S. ROAD, ABC, GUWAHATI AND ONE OF ITS BRANCH OFFICE
AT NALBARI

VERSUS

KABITA THAPA AND 2 ORS
W/O LATE TEZ BAHADUR THAPA, PERMANENT R/O VILLAGE GARMARA,
PO CHARIDUAR, PS CHARIDUAR, DIST. SONITPUR, ASSAM

2:LOISE JEBISOW
D/O P.K. JEBISOW
R/O LOWER BHALUKPONG
PO BHALUKPONG
PIN-790114
DIST. WST KAMENG
ARUNACHAL PRADESH

3:TONKEY JEBISOW
S/O LATE KHARU JEBISOW
R/O VILLAGE BHALUKPONG
PO AND PS BHALUKPONG
PIN-79011

Advocate for the Petitioner : MR. R K BHATRA, A BIYANI,MR H BHAGAWATI,MS P
HUJURI,MR. A SAIKIA

Advocate for the Respondent : ,

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

23.10.2024

Heard the learned counsel Mr. R.K. Bhatra appearing for the petitioner.

2. This is an application under Order 47 Rule 1 of the Code of Civil Procedure read with Section 114 of the said Code.

3. Mr. Bhatra has pointed out that in the judgment dated 25.07.2024 passed by this Court in the connected MAC Appeal No.289/2018, more particularly in paragraphs, 6, 8 and 9, it was mentioned about validity of Insurance Policy. According to Mr. Bhatra, it should have been validity of the Route Permit of the vehicle because the Insurance Company had examined the witnesses to prove that fact.

4. After going through the materials available with the record, the prayer of Mr. Bhatra is allowed.

5. Henceforth, the words appearing in paragraphs 6, 8 and 9 shall be read as Route Permit and not Insurance Policy. This order shall form a part of the judgment dated 25.07.2024 passed by this Court in MAC Appeal No.289/2018.

6. The statutory deposit of ₹25,000/- shall be returned to the Insurance Company.

With the aforesaid direction, the present Review Petition is disposed of.

JUDGE

Comparing Assistant