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

**Case No. : I.A.(Civil)/3540/2024**

ORIENTAL INSURANCE COMPANY LTD  
HAVING ITS REGISTERED OFFICE AT ORIENTAL HOUSE  
A-25/27  
ASAF ALI ROAD  
NEW DELHI-110002  
AND REGIONAL OFFICE AT GUWAHATI-7  
REPRESENTED BY THE REGIONAL MANAGER

VERSUS

DHIREN SAH GUPTA AND ANR E  
S/O. TULSI SHAH  
R/O. HOUSE NO. 6  
2ND FLOOR  
KHARGESWAR TALUKDAR PATH  
NEAR GAYARAM SCHOOL  
BIRUBARI  
P/S. PALTAN BAZAR  
DIST. KAMRUP(M)  
GUWAHATI-781016  
ASSAM.

2:SRI HRIDAY BISWAS  
S/O. PARIMAL BISWAS  
R/O. VILL. BHARIDHOWA  
P/O. BHARIDHOWA  
P/S. ULUANI  
PIN-782120  
DIST. NAGAON  
ASSAM  
MOBILE NO. 7002115422

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Advocate for : MR. S DUTTA

Advocate for : appearing for DHIREN SAH GUPTA AND ANR E

**BEFORE**  
**HON'BLE MR. JUSTICE ROBIN PHUKAN**  
**ORDER**

**29.11.2024**

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

This interlocutory application under Order 41 Rule 5 of the Code of Civil Procedure, 1908 is preferred by the applicant, Oriental Insurance Co. Ltd., for staying the operation of the impugned judgment and award dated 02.04.2024, passed by the learned Member, Motor Accident Claims Tribunal No.2, Kamrup(M) at Guwahati, in MAC Case No.1413/2020.

It appears that the connected appeal has already been admitted and the record has also been called for from the learned Tribunal.

Accordingly, this interlocutory application is allowed and the operation of the judgment and award dated 02.04.2024 stands stayed, subject to depositing 50% of the awarded amount by the applicant before the Registry of this Court within a period of two weeks from today.

The learned counsel for the respondent No.1 submits that he may be permitted to withdraw the amount to be deposited before the Registry of this Court.

Prayer is accordingly allowed.

In terms of above, this application stands disposed of.

**Sd/- Robin Phukan**  
**JUDGE**

**Comparing Assistant**