

GAHC010204352024



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

Case No. : I.A.(Civil)/3083/2024
in
MACApp./525/2024

SHRIRAM GENERAL INSURANCE COMPANY LTD
HAVING ITS CORPORATE AND REGISTERED OFFICE AT E-8
EPIP
RIICO INDUSTRIAL AREA
SITAPURA
JAIPUR
RAJASTHAN
INDIA
PIN-302022 AND ONE OF THE BRANCH OFFICES AT B.R. ARCADE
3RD FLOOR
OPPOSITE TO PRIYA PALACE HOTEL
21 JANAPATH
ULUBARI
GUWAHATI-781007
KAMRUP.

VERSUS

SANJITA BASUMATARY AND 3 ORS
W/O.- INDRA BASUMATURY

2:SRI. INDRA BASUMATARY
S/O. MELOKO BASUMATARY.
BOTH ARE RESIDENT OF KAJALGAON TOWN ZIM CENTRE
P/O-KAJALGAON
P/S.- DHALIGAON
DIST.- CHIRANG BTR
ASSAM
PIN-783385.
BOTH ARE PERMANENT RESIDENT OF VILL.-KURSHAKATI

BORO KURSHAKATI
P/S. AND DIDT.- KOKRAJHAR
BTR
ASSAM
PIN-7833702.

3:TAREN BASUMATARY
C/O. HAURLANGGA BASUMATARY
R/O. OF VILL.- BIJULIBARI NO.2
P/O. CHANDRAPARA
P/S. KOKRAJHAR
BTAD
ASSAM
PIN-783370

4:SRI MANAJ KUMAR PRADHAN
S/O. KUSHMAN PRADHAN
R/O. OF VILL.- BIJULIBARI NO.2
P/O. CHANDRAPARA
P/S. AND DIST.-KOKRAJHAR
BTAD
ASSAM
PIN-783370

Advocate for : MR. A J SAIKIA
Advocate for : appearing for SANJITA BASUMATARY AND 3 ORS

BEFORE
HON'BLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

30-09-2024

Heard Mr. A. J. Saikia, learned counsel for the applicant.

This application under Order 41 Rule 5 read with Section 151 of the Code of Civil Procedure has been filed by the applicant praying for stay of execution of the impugned judgment and award dated 09.07.2024 passed by the learned Member, Motor Accident Claims Tribunal, Chirang, Kajalgaon in MAC (Death) Case No. 24/2022.

The learned counsel for the applicant has submitted that the applicant is ready to deposit 50% of the total awarded amount as a condition for ground of stay.

Considering the submissions made by the learned counsel for the applicant, issuance of notice to the opposite party is waived and this interlocutory application is allowed.

The execution of impugned judgment and award dated 09.07.2024 passed in MAC (Death) Case No. 24/2022 is hereby stayed subject to deposit of 50% of the awarded amount by the applicant to the Registry of this Court within a period of 4 (four) weeks from this order.

Accordingly, this interlocutory application stands disposed of.

JUDGE

Comparing Assistant