

GAHC010001512016



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

I.A.(Civil)/2831/2023

PH. SARAT SINGH
S/O PH. BABU SINGH
R/O MANIPURI BASTI
HOUSE NO. 3
P.C. GOSWAMI ROAD
P.S. PALTAN BAZAR
P.O. ULUBARI
GUWAHATI-7
KAMRUP M
ASSAM.

VERSUS

ORIENTAL INSURANCE CO. LTD AND 6 ORS.
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

2:THE NATIONAL INSURANCE CO. LTD.

REGIONAL OFFICE
G.S. ROAD
BHANGAGARH
GUWAHATI -5 INSURER OF VEHICLE NO. AS-01-Y-1870 MARUTI CAR
3:PH. BABU SINGH

S/O LATE N. SINGH
R/O MANIPUR BASTI
HOUSE NO. 3
P.S. GOSWAMI ROAD
P.S. PALTAN BAZAR

P.O. ULUBARI
GUWAHATI-7
KAMRUP M
ASSAM.
4:EKLAN SHADAP
S/O SHRI B. SYLLIAG
UMSAILISING
P.O. UMSING
DIST. RI-BHOI
MEGHALAYA
OWNER OF VEHICLE NO. ML-05/C/2901 TATA SUMO
5:MAUSTAR DIENDOH

S/O B. JARIAG MAULAIN
DIST. RI BHOI
MEGHALAYA DRIVER OF VEHICLE NO. ML-05/C/2901 TATA SUMO
6:HUSSAIN BIAM

S/O J. BIAM
R/O NORTH GUWAHATI
P.O. NORTH GUWAHATI
DIST .KAMRUP
ASSAM OWNER OF VEHICLE NO. AS-25-C-4171 TRUCK
7:MOOSHAI SUDNGI

S/O SRI B. DHAR
NANGBAH
JAINATIA HILLS
MEGHALAYA
DRIVER OF VEHICLE NO. AS-25/C-4171 TRUCK

Advocate for : MR. K K DUTTA
Advocate for : MR S DUTTA appearing for ORIENTAL INSURANCE CO. LTD AND
6 ORS.

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

03.04.2024

Heard Ms. B. Choudhury, learned counsel representing the applicant. Also

heard Mrs. S. Muchahary, learned counsel appearing for the opposite party Oriental Insurance Co. Ltd.

In the connected appeal, the Insurance Company was directed to deposit 50% of the awarded amount before the Registry of this Court within the month of March, 2024. But the Insurance Company is yet to deposit the said amount in the Registry of this Court.

Therefore, Ms. B. Choudhury has filed this present application praying for dismissal of the appeal for failure of the Insurance Company to deposit the money.

Mrs. Muchahary has prayed for three weeks' time to deposit the money.

I have considered the submissions made by the learned counsel of both sides.

The prayer of Insurance Company is allowed.

Three weeks' time, as prayed for, is granted for deposit of the money. Failure to deposit the money, the connected MAC Appeal shall be dismissed for violating the order of this Court.

The Interlocutory Application I disposed of accordingly.

JUDGE

Comparing Assistant