

GAHC010211952023



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

Linked Case : **I.A.(Civil)/1712/2024**
In MAC App. No. 256/2024

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
REP. BY THE REGIONAL MANAGER.

VERSUS

NILAKSHI DEKA AND 4 ORS.
W/O LATE DEEP JYOTI DEKA
VILL.- BANIYAKUCHI
P.S.- SARTHABARI
DIST.- BARPETA
ASSAM.

2:TRISHNA DEKA
D/O LATE DEEP JYOTI DEKA
VILL.- BANIYAKUCHI
P.S.- SARTHABARI
DIST.- BARPETA
ASSAM.

3:TUTUMONI DEKA
M/O LATE DEEP JYOTI DEKA
VILL.- BANIYAKUCHI
P.S.- SARTHABARI
DIST.- BARPETA
ASSAM.

4:M/S SARAGWI AND SONS
S/D/W OF NA M/S SARAWGI SONS P.S.- PANBAZAR NEAR DENABANK
DIST.- KAMRUP(M)

ASSAM
GHY- 07.
5:SHIV MANGAL SINGH
S/O RAM LAKHAN SINGH

VILL.- KURSHA DEOSAR SINGRULI (M.P)
P.S.- JAYUN
DIST.- SINGRAULI
ASSAM.

Advocate for : MR SISHIR DUTTA

Advocate for : MR. N. DEBNATH appearing for NILAKSHI DEKA AND 4 ORS.

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

24-06-2024

Heard Shri S. Dutta, learned counsel for the applicant/appellant, who by means of this application filed under Order XLI Rule 5 of Code of Civil Procedure has prayed for stay of the operation of the impugned judgment and order dated 21.12.2022 passed by the learned Member, Motor Accident Claims Tribunal No. 2, Kamrup (M), in MAC Case No. 110 of 2021.

The connected appeal has been admitted today.

Shri N. Debnath, the learned counsel is present for the respondent nos. 1, 2 & 3. The name of the counsel for the respondent no. 4 also appears in the cause list who however has not appeared.

After hearing, the present application is allowed by directing that pending disposal of the appeal, the impugned judgment and order dated 21.12.2022 passed by the learned Member, Motor Accident Claims Tribunal No. 2, Kamrup (M) shall remain suspended subject to deposit of 50% of the awarded amount by the applicant/appellant in the Registry of this Court.

IA stands disposed of.

The claimants/respondents may make appropriate prayer after deposit of the amount to the Registry for release.

JUDGE

Comparing Assistant