

GAHC010236042023



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

Case No. : Case : I.A.(Civil)/2377/2024

ORIENTAL INSURANCE COMPANY LTD.
(A CENTRAL GOVT. UNDERTAKING) HAVING ITS REGIONAL OFFICE AT
GUWAHATI
G.S. ROAD
ULUBARI
GUWAHATI- 781007
REP. BY THE DEPUTY MANAGER
GAUHATI REGIONAL OFFICE
ULUBARI
GUWAHATI- 781007.

VERSUS

BHUBANESWARI DEVI AND 3 ORS.
W/O LATE PUNA RAM NATH
R/O JARABARI
P.O. AND P.S.- RAHA
DIST.- NAGAON
ASSAM
PIN- 782103.

2:PARISHMITA DEVI
D/O LATE PUNA RAM NATH

R/O JARABARI
P.O. AND P.S.- RAHA
DIST.- NAGAON
ASSAM
PIN- 782103.

3:JINTU NATH
S/O LATE PUNA RAM NATH

R/O JARABARI
P.O. AND P.S.- RAHA
DIST.- NAGAON
ASSAM
PIN- 782103.

4:PRASANTA DEKA
S/O MINAO DUTTA

R/O PUTHINDOLI AVAIPURIA GAON
P.O.- CHUNGILAHING
P.S.- MARIANI
DIST.- JORHAT
ASSAM
PIN- 785635.

Advocate for : MS. R D MOZUMDAR
Advocate for : appearing for BHUBANESWARI DEVI AND 3 ORS.

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

Date : 12.08.2024

Heard Ms. R. D. Mozumdar, learned counsel for the appellant.

This interlocutory application has been filed by the applicant/Insurance Company praying for staying of the execution of the impugned judgment and award which has been put to challenge by the applicant/Insurance Company by filing the connected MAC Appeal No. 386/2024 whereby the applicant were directed to pay an amount of Rs.14,09,728.60/-.

The learned counsel for the applicant has submitted that considering the facts and circumstances of this case, the appellant is ready to deposit 50% of the awarded amount as a condition for staying the impugned judgment and

award.

Considering the submissions made by the learned counsel for the applicant, the notices to the opposite parties is waived and this interlocutory application is allowed and the execution of the impugned judgment and award is stayed till during the pendency of the connected MAC Appeal No. 386/2024, subject to payment of 50% of the awarded amount by the applicant to the Registry of this Court within six weeks from the date of this order.

This interlocutory application is accordingly disposed of.

JUDGE

Comparing Assistant