

GAHC010230732024



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

Case No. : I.A.(Civil)/3562/2024

UNITED INDIA INSURANCE COMPANY LTD
HAVING ITS REGISTERED OFFICE AND HEAD OFFICE AT 24
WHITES ROAD
CHENNAI AND ITS REGIONAL OFFICE AT G.S. ROAD
DISPUR
GUWAHATI
AND REPRESENTED BY THE CHIEF REGIONAL MANAGER
GUWAHATI REGIONAL OFFICE
G.S. ROAD
DISPUR
GUWAHATI-781005.

VERSUS

RENADI HASNU AND 2 ORS
W/O. LATE HABUL SINGH HASNU
R/O. VILL. UPPER MOHONGDIJUWA
P/O. AND P/S. MANJA
PIN-782461
DIST. KARBI ANGLONG
ASSAM.

2:RAJIB HASNU
S/O. SRI ANOKOL HASNU
R/O. VILL. UPPER MOHONGDIJUWA
P/O. AND P/S. MANJA
PIN-782461
DIST. KARBI ANGLONG
ASSAM.

3:RANJIT PASWAN
S/O. SRI RAMESWAR PASWAN
R/O. WOKHA TOWN

P/O. WOKHA TOWN
PIN-797111
DIST. WOKHA
NAGALAND.

Advocate for : MR. R GOSWAMI
Advocate for : appearing for RENADI HASNU AND 2 ORS

**BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN**

ORDER

Date : 22.11.2024

Heard Mr. R. Goswami, learned counsel for the applicant and Mr. A.R. Agarwala, learned counsel for the respondent No.1.

This interlocutory application under Order XLI Rule V of the Code of Civil Procedure, 1908 is preferred by the appellant United India Insurance Company Ltd for staying operation on the Impugned Judgment and Award dated 30.07.2024, Passed by the Learned Member MACT No.2, Kamrup(M) in MAC Case No.2079/2015.

It is to be noted here that vide impugned Judgment & Award dated 30.07.2023, the learned MACT No.2, Kamrup (M), Guwahati is directed the appellant herein to pay a sum of Rs.8,46,566.56/- to the respondent No.1 and further directed that the aforesaid amount will carry interest @ 9% per annum from the date of filing the claim petition till realization.

Mr. Goswami, learned counsel for the applicant submits that the appeal has been admitted and notice has also been issued and the record has already been called for. As such the impugned Judgment and Award dated 30.07.2024, may be stayed. Mr. Goswami, further submits that the applicant will deposit

50% of the awarded amount before the Registry of this Court, within a period of 3 (three) weeks from today.

Having considered the submission of Mr. Goswami, learned counsel for the applicant and also considering the facts and circumstances on the record, this Court is inclined to stay the operation of Judgment and award dated 30.07.2024, passed by the Learned Member MACT No.2, Kamrup(M) in MAC Case No.2079/2015.

Accordingly, it is provided that till disposal of the connected appeal, i.e. MACApp./602/2024, the operation of the impugned Judgment and Award dated 30.07.2024, stands stayed. However, Mr. Goswami shall deposit 50% of the awarded amount within a period of three weeks from today.

In terms of above, this I.A. stands disposed of.

JUDGE

Comparing Assistant