

GAHC010257162023



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

Case No. : I.A.(Civil)/3585/2023

SABITA SAIKIA @ BORAH AND 2 ORS
W/O LATE APURBA SAIKIA,
RESIDENT OF VILLAGE JUMARMUR AHOMGAON, PS KAMPUR, DIST
NAGAON, ASSAM, 782426
PRESENT RESIDENTS OF CARE OF MONOWARA KHATUN, RESIDENT OF
KATAHBARI, PS GARCHUK, DIST KAMRUP M ASSAM 781035

2: JYOTIRMOY SAIKIA
S/O LATE APURBA SAIKIA

RESIDENT OF VILLAGE JUMARMUR AHOMGAON
PS KAMPUR
DIST NAGAON
ASSAM
782426
PRESENT RESIDENTS OF CARE OF MONOWARA KHATUN
RESIDENT OF KATAHBARI
PS GARCHUK
DIST KAMRUP M ASSAM 781035
TO BE REP. BY. APPLICANT. NO. 1

3: DUBORI SAIKIA @ ANANYA SAIKIA
D/O LATE APURBA SAIKIA

RESIDENT OF VILLAGE JUMARMUR AHOMGAON
PS KAMPUR
DIST NAGAON
ASSAM
782426
PRESENT RESIDENTS OF CARE OF MONOWARA KHATUN
RESIDENT OF KATAHBARI
PS GARCHUK
DIST KAMRUP M ASSAM 781035
TO BE REP. BY. APPLICANT. NO.

VERSUS

NATIONAL INSURANCE COMPANY LTD.
HAVING ITS REGISTERED OFFICE AND HEAD OFFICE AT 3, MIDDLETON
STREET, KOLKATA AND ITS REGIONAL OFFICE AT BHANGAGARH, GS
ROAD, GUWAHATI 781005, REPRESENTED BY THE CHIEF REGIONAL
MANAGER, GUWAHATI REGIONAL OFFICE

Advocate for the Petitioner : MR. A R AGARWALA

Advocate for the Respondent :

BEFORE
HONOURABLE MR. JUSTICE BUDI HABUNG

ORDER

Date : 20-03-2024

Heard Mr. A. K. Agarwala, learned counsel for the applicant/claimant.

I have also heard Mr. T. Kalita, learned counsel for the opposite party/appellant.

This is an application, praying for allowing the applicant/claimant to withdraw the amount deposited by the opposite party/appellant/The Insurance Company before the Registry of this Court in compliance of the order dated 17.02.2023, passed in I.A.(C) 206/2023.

The opposite party/appellant has no objection, if the sum of Rs. 10,00,000/- (Rupees ten lakhs) only is released to the claimant/applicant out of the total deposited amount of Rs. 24,58,646/-.

The learned counsel for the applicant/claimant has agreed and accepted the proposal of the learned counsel for the opposite party/appellant for release of Rs. 10,00,000/- (Rupees ten lakhs) only.

In view of the above, the learned counsel for the applicant/claimant is allowed to withdraw Rs. 10,00,000/- /-(Rupees ten lakhs) only from the Registry of this Court out of total deposited amount of Rs. 24,58,646/-.

Registry is directed to release Rs.10,00,000/-(Rupees ten lakhs) only to the applicant/claimant on proper verification and identification by their engaged counsel on execution of a bond.

With the above observations, the I.A. stands allowed and disposed of.

JUDGE

Comparing Assistant