

GAHC010264502024



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

Case No. : I.A.(Civil)/3934/2024

MANJU DAS

W/O- SHRI. LAKHESWAR DAS, R/O. VILL. MORAKOLONG AHATGURI, P.O
AND P.S. DHARAMTUL, DIST- MORIGAON, ASSAM, PIN-782412.

VERSUS

THE RELIANCE GENERAL INSURANCE CO LTD A
AVING ITS REGISTERED OFFICE AT 19, RELIANCE CENTRE, WALCHAND
HIRACHAND MARG, BALLARD ESTATE, MUMBAI 400001 AND
CORPORATE OFFICE AT 570, RECTIFIER HOUSE, NAGAUM CROSS, NEXT
TO ROYAL INDUSTRIAL ESTATE, WADALA (W), MUMBAI 400031 AND ONE
OF THE BRANCH OFFICES AT PRAG PLAZA, 5TH FLOOR G.S. ROAD,
BHANGAGARH, GUWAHATI-781005.

2:SRI. SUBHAN CHANDRA DAS
S/O. OF LT. MAHA KANTA DAS
R/O. RAHA TOPAKUCHI
P.O. AND P.S. RAHA
DIST.- NAGAON
ASSAM
PIN-782103.

3:SRI. PRAFULLA DAS
S/O. LT. S R DAS
R/O. OF VILL. SIMALUGURI
P.O. AHATGURI
DIST. MORIGAON
ASSAM
PIN-782412

Advocate for the Petitioner : MR. A BHATTACHARYYA,

Advocate for the Respondent : MR. A J SAIKIA,

**BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI**

ORDER

Date : 16.12.2024

Heard Mr. A. Bhattacharyya, learned counsel for the applicant and Mr. A.J. Saikia, learned counsel for the opposite party/ Insurance Company.

By filing this application, the applicant has prayed for withdrawal of 50% of the total awarded amount in pursuant to the order dated 28.08.2024, passed in I.A. (Civil) No. 2516/2024, arising out of MAC Appeal No. 420/2024.

The learned counsel for applicant has submitted that the appellant/ Insurance Company has already deposited 50% of the total awarded amount before the Registry of this Court in pursuant to the order dated 28.08.2024, passed in I.A. (Civil) No. 2516/2024, arising out of MAC Appeal No. 420/2024 and the applicant has prayed for to withdraw the said deposited 50% of the total awarded amount.

The learned counsel for the appellant/ Insurance Company has no objection to withdraw the said deposited amount by executing a bond before the Registry of this Court that the applicant is liable to return the said amount if the appeal is decided in favour of the appellant.

As the appeal has already been admitted vide order dated 28.08.2024, passed in the connected MAC Appeal No. 420/2024 and in view of the fact that the appellant has already deposited the 50% of the total awarded amount before the Registry, the applicant is hereby directed to withdraw the said 50% of the total awarded amount from the Registry of this Court by executing a bond as indicated above after proper verification and identification by the concerned advocate.

With the above observation, the I.A. stands disposed of.

JUDGE

Comparing Assistant