GAHC010018152026

2026:GAU-AS:8692

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

Case No. : I.A.(Civil)/207/2026

DIPU DEKA
S/O HALADHAR DEKA,
RESIDENT OF VILLAGE MURARA, PO RANGIA, DIST KAMRUP R ASSAM 781354

VERSUS

SHRIRAM GENERAL INSURANCE CO LTD
B.R ARCADE, 21, JANAPATH, G S ROAD, ULUBARI, PO GUWAHATI 781007, DIST. KAMRUP M ASSAM

Advocate for the Petitioner : MR. A R AGARWALA,

Advocate for the Respondent : MR. A J SAIKIA,

Linked Case : MACApp./447/2025

SHRIRAM GENERAL INSURANCE COMPANY LTD
HAVING ITS CORPORATE AND REGISTERED OFFICE AT E 8 EPIP RIICO INDUSTRIAL AREA SITAPUR JAIPUR RAJASTHAN INDIA PIN 302022 AND ONE OF THE BRANCH OFFICE AT B R ARCADE 3RD FLOOR OPPOSITE TO PRIYA PALACE HOTEL 21 JANAPATH ULUBARI GUWAHATI 781007 KAMRUP

VERSUS

DIPU DEKA AND 2 ORS
S/O HALADHAR DEKA
R/O MURARA
PS RANGIA
DIST KAMRUP
ASSAM
PIN 781354

2:JAGADISH DAS
S/O LT GOPAL DAS
R/O KHUDRAKULHATI
PO PACHARIA
PS HAJO
DIST KAMRUP
ASSAM
PIN 781104

3:SATYABRAT DAS
S/O PRASANNA DAS
R/O BAHONA
PO MANAKUCHI
PS HAJO
DIST KAMRUP
ASSAM
PIN 781381

Advocate for : MR. S PEGU
Advocate for : MR. A R AGARWALA (R-1) appearing for DIPU DEKA AND 2 ORS

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

17.06.2026

Heard Mr. A R Agarwala, learned counsel for the applicant. Also heard Mr. S Pegu, learned counsel for the respondent Insurance Company.

By way of the present interlocutory application, the applicant seeks release of 50% of the awarded amount, i.e., Rs. 9,69,661/-, deposited by the appellant-insurance company in compliance with the order dated 22.09.2025 passed by this Court in I.A.(Civil) No. 3156/2025 arising out of MAC App. No. 447/2025.

It appears from the records that while admitting the connected appeal preferred by the appellant-insurance company against the judgment and award dated 21.05.2025 passed by the learned Member, MACT No. 2, Kamrup (Metro), Guwahati in MAC Case No. 272/2019, whereby compensation of Rs. 19,39,326.60 was awarded, this Court granted stay of the impugned judgment and award subject to deposit of 50% of the awarded amount before the Registry of this Court.

Pursuant thereto, the appellant-insurance company deposited a sum of Rs. 9,69,661/-, being 50% of the awarded amount, before the Registry of this Court on 28.10.2025.

The applicant has averred that he is facing acute financial hardship and is in urgent need of funds. On such grounds, the present application has been filed seeking release of the aforesaid amount lying deposited before the Registry of this Court.

Heard learned counsel for the parties. Upon consideration of the materials available on record and having regard to the facts and circumstances of the case, this Court is of the view that the prayer made in the application deserves to be allowed.

Accordingly, the Registry is directed to release the sum of Rs. 9,69,661/- lying deposited before this Court in favour of the applicant, subject to proper verification of identity and completion of all requisite formalities.

The interlocutory application stands allowed and disposed of accordingly.

JUDGE

Comparing Assistant