GAHC010280102019

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

Case No. : I.A.(Civil)/4029/2019

ICICI LOMBARD GENERAL INSURANCE COMPANY LIMITED
HAVING ITS REGISTERED OFFICE AT ICICI BANK TOWERS, BANDRA KURLA COMPLEX, MUMBAI-400051 AND ITS ZONAL OFFICE AT 7TH FLOOR, APEEJAY HOUSE, 15, PARK STREET, KOLKATA-700016 AND ITS BRANCH OFFICE AT 3RD FLOOR, MADHAV TOWER, G.S. ROAD, RUKMINI GAON, GUWAHATI-781022, REPRESENTED BY THE LEGAL MANAGER, GUWAHATI OFFICE

VERSUS

SMTI. LILABATI BORA AND 3 ORS
WIFE OF LATE DEBAKANTA BORAH, RESIDENT OF VILLAGE PUB BALIGAON, POLICE STATION GOGAMUKH, DISTRICT DHEMAJI, ASSAM, PIN 787057

2:SMT/ PADMESWARI BORA BHUYAN
WIFE OF SRI KUSHUMBAR BHUYAN
RESIDENT OF VILLAGE NALANIPAM
POST OFFICE DHEMAJI
POLICE STATION DHEMAJI
DISTRICT DHEMAJI
ASSAM
PIN 787057

3:SRI PHULESWAR BHUYAN
SON OF MITHARAM BHUYAN
RESIDENT OF BHARALICHUK
POST OFFICE DHEMAJI
POLICE STATION DHEMAJI
DISTRICT DHEMAJI
ASSAM
PIN 787057

(REGISTERED OWNER OF THE VEHICLE BEARING NO AS-22-E-1231 ALTO K10)

4:SRI PALASH BHUYAN
RESIDENT OF BHARALICHUK
POST OFFICE DHEMAJI
POLICE STATION DHEMAJI
DISTRICT DHEMAJI
ASSAM
PIN 787057
(DRIVER OF THE VEHICLE BEARING NO AS-22-E-1231 ALTO K10

Advocate for the Petitioner : MR T KALITA

Advocate for the Respondent :

Linked Case : MACApp./635/2019

ICICI LOMBARD GENERAL INSURANCE COMPANY LIMITED
HAVING ITS REGISTERED OFFICE AT ICICI BANK TOWERS
BANDRA KURLA COMPLEX
MUMBAI-400051 AND ITS ZONAL OFFICE AT 7TH FLOOR
APEEJAY HOUSE
15
PARK STREET
KOLKATA-700016 AND ITS BRANCH OFFICE AT 3RD FLOOR
MADHAV TOWER
G.S. ROAD
RUKMINI GAON
GUWAHATI-781022
REPRESENTED BY THE LEGAL MANAGER
GUWAHATI OFFICE

VERSUS

SMTI. LILABATI BORA AND 3 ORS
WIFE OF LATE DEBAKANTA BORAH
RESIDENT OF VILLAGE PUB BALIGAON
POLICE STATION GOGAMUKH
DISTRICT DHEMAJI
ASSAM
PIN 787057

2:SMT/ PADMESWARI BORA BHUYAN
WIFE OF SRI KUSHUMBAR BHUYAN

RESIDENT OF VILLAGE NALANIPAM
POST OFFICE DHEMAJI
POLICE STATION DHEMAJI
DISTRICT DHEMAJI
ASSAM
PIN 787057
3:SRI PHULESWAR BHUYAN
SON OF MITHARAM BHUYAN
RESIDENT OF BHARALICHUK
POST OFFICE DHEMAJI
POLICE STATION DHEMAJI
DISTRICT DHEMAJI
ASSAM
PIN 787057
(REGISTERED OWNER OF THE VEHICLE BEARING NO AS-22-E-1231 ALTO K10)
4:SRI PALASH BHUYAN
RESIDENT OF BHARALICHUK
POST OFFICE DHEMAJI
POLICE STATION DHEMAJI
DISTRICT DHEMAJI
ASSAM
PIN 787057
(DRIVER OF THE VEHICLE BEARING NO AS-22-E-1231 ALTO K10)

Advocate for : MR T KALITA
Advocate for : appearing for SMTI. LILABATI BORA AND 3 ORS

BEFORE

THE HON'BLE MR JUSTICE PRASANTA KUMAR DEKA
O R D E R

21. 12. 2020

Heard Mr. T Kalita, learned counsel for the applicant.

This is an application under Order XLI, Rule 5 of the CPC praying for stay of the operation of the judgment and order dated 17.08.2019 passed by the learned Member, MACT, Dhemaji in MAC case No. 09/2018.

As the connected appeal is already admitted, the operation of the judgment and award dated 17.08.2019 shall remain stayed subject to the deposit of 50% of the total awarded amount in the Registry of this court within a period of four weeks from today.

Application stands disposed of.

JUDGE

Comparing Assistant