

GAHC010025302026



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

Case No. : I.A.(Civil)/527/2026

RAJU DEKA BARUAH
FATHER OF DIPU DEKA BARUAH, RESIDENT OF -VILL-NAHARANI GAON,
P.S-KHOWANG, PIN- 785675, DISTRICT - DIBRUGARH (ASSAM)

2: PABRITRA DEKA BARUAH
S/O- SRI RAJU DEKA BARUAH
RESIDENT OF -VILL-NAHARANI GAON
P.S-KHOWANG
PIN- 785675
DISTRICT - DIBRUGARH (ASSAM)

VERSUS

NEW INDIA ASSURANCE CO LTD
HAVING ITS REGISTERED OFFICE AT NEW ASSURANCE BUILDING 87,
MAHATMA GANDHI ROAD, MUMBAI, AND ONE OF THE REGIONAL
OFFICES AT STAR CITY COMPLEX, 5TH FLOOR, LACHIT NAGAR,
GUWAHATI- 781005, NEAR HANUMAN MANDIR.

2:DHIREN CH. HANDIQUE
S/O- LT. GONDHESWAR HANDIQUE
RESIDENT OF VILL- TILOI BARI BONGALI GAON
P.O- TILOI NAGAR PIN NO- 785675
DISTRICT - DIBRUGARH
ASSAM. /OWNER OF THE VEHICLE NO-AS-06/AC-1441

3:RUBUL DIHINGIA
S/O. SRI A. DIHINGIA
RESIDENT OF -VILL-PHUKAN NAGAR
P.S- SIVSAGAR
PIN NO-785640
DISTRICT-SIVSAGAR
ASSAM

Advocate for the Petitioner : MR. K K DUTTA, MR. T BHARALI

Advocate for the Respondent : MR. K K BHATTA, A K BHATTACHARYYA

**BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA**

ORDER

Date : 06.04.2026

- 1.** Heard Mr. D. Dutta, learned counsel for the applicants. Also heard Mr. K. K. Bhatta, learned counsel for the Insurance Company.
- 2.** This interlocutory application has been filed by the applicants/claimants allowing the applicants/claimants to withdraw the amount of Rs.5,00,000/- (Rupees Five Lakh) which was deposited by the respondent/Insurance Company in pursuant to the directions of this court passed in I.A.(C) No. 3128/2025 by order dated 22.09.2025 in connection with MAC Appeal No. 441/2025.
- 3.** Mr. K. K. Bhatta, learned counsel for the Insurance Company raised no objection. However, he submits that while releasing the aforesaid amount, the applicant may be directed to submit indemnity bond.
- 4.** Hence, the prayer is allowed.
- 5.** The Registry is directed to release the amount of Rs.5,00,000/- (Rupees Five Lakh) which was deposited by the Insurance Company before it in pursuant to the order dated 22.09.2025 passed in I.A.(C) No. 3128/2025 to the claimants/applicants, namely, Raju Deka Baruah and Sri Pabritra Deka Baruah on furnishing of indemnity bond to the tune of Rs.5,00,000/- (Rupees Five Lakh).

6. This interlocutory application is accordingly disposed of.

JUDGE

Comparing Assistant