GAHC010209602026

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

Case No. : I.A.(Civil)/3553/2026

UNITED INDIA INSURANCE CO. LTD
HAVING ITS REGISTERED AND HEAD OFFICE AT 24 WHITES ROAD
CHENNAI 600014 AND ONE OF THE REGIONAL OFFICE AT G.S. ROAD
DISPUR
GUWAHATI-781005

VERSUS

MUSSTT. BASIRON KHATUN AND 6 ORS
WIFE OF MAGDAB ALI @ SARBUL ALI

2:MAGDAB ALI @ SARBUL ALI
SON OF ASHEK ALI
BOTH ARE PERMANENT RESIDENT OF VILLAGE - KHODAIDILA
PS - SOUTH SALMARA
DISTRICT-SOUTH SALMARA MANKACHAR
ASSAM
PIN-783127
BOTH ARE TEMPORARY RESIDENT VILLAGE - NAIKHOWA CHAR
PS - SOUTH SALMARA DISTRICT-SOUTH SALMARA MANKACHAR
ASSAM
PIN- 783127

3:ASMA BEGUM
W/O SAHAB UDDIN AHMED
VILLAGE - JAYPUR
P.O. TULSIBIL
P.S. GOSSAIGAON
DISTRICT - KOKRAJHAR BTC
ASSAM
PIN-783337 OWNER OF VEHICLE NO. AS-16/C-1875 (STAR BUS)

4:THE MANAGER

CHOLAMANDALAM M S GENERAL INSURANCE COMPANY LIMITED
AASTHS PLAZA
7TH FLOOR
G.S. ROAD OPPOSITE TO S B ROAD DEORAH COLLEGE ULUBARI
GUWAHATI DISTRICT - KAMRUP ASSAM ASSAM
PIN-781007 (INSURER OF VEHICLE NO. AS-17/C-3073 (TRUCK)

5:MALIKON KHANAM
W/O- IMANNUR HUSSAIN
RESIDENT OF VILLAGE- GOBARDHANPARA
P.S.- BILASIPARA
DIISTRICT- KAMRUP (M)
ASSAM
PIN- 783345 (OWNER OF VEHICLE NO. AS-17/C-3073 (TRUCK)

6:SATTAR ALI
S/O- MEHER ALI
RESIDENT OF VILLAGE- ASHARAKANDI KARTIMARI
P.O. KARTIMARI
P.S. GOSAIGAON
DISTRICT- KOKRAJHAR ASSAM
PIN- 783331 (DRIVER OF VEHICLE NO. AS-16/C-1875 (STAR BUS)

7:RAFIJUL ISLAM
S/O- SOLEMAN SHEIKH
RESIDENT OF VILLAGE- BANUMITOLA
P.O. DHANTALA
DISTRICT- BONGAIGAON ASSAM
PIN- 783380
(DRIVER OF VEHICLE NO. AS-17/C-3073 (TRUCK)

Advocate for : MR. A J SAIKIA
Advocate for : appearing for MUSSTT. BASIRON KHATUN AND 6 ORS

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 05.10.2026

Learned counsel Mr. A.J. Saikia is present for the Insurance Company/applicant.

2. The Insurance Company is aggrieved by the impugned Judgment and Award dated 25.06.2026 passed by the learned Member, MACT, Barpeta in connection with MAC Case No. 125/2021 as the entire liability has been imposed on the applicant/Insurance Company, whereas this is a case where the Insurance Company cannot be held solely liable. The applicant has prayed to stay the impugned Judgment and Award dated 25.06.2026 passed by the learned Member, MACT, Barpeta in connection with MAC Case No. 125/2021.

3. It appears that the operation of the impugned Judgment and Award dated 25.06.2026 passed by the learned Member, MACT, Barpeta in connection with MAC Case No. 125/2021, may be stayed.

4. Considering the submissions at the bar, the operation of the impugned Judgment and Award dated 25.06.2026 passed by the learned Member, MACT, Barpeta in connection with MAC Case No. 125/2021, is stayed until further orders, subject to the condition that the Insurance Company deposits 50% of the awarded amount within six weeks before the Registry of this Court.

5. In terms of the above observation, this interlocutory application stands disposed of.

JUDGE

Comparing Assistant