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

Case No. : I.A.(Civil)/3140/2026

THE ORIENTAL INSURANCE CO L TD
A CO. REGISTERED UNDER THE COMPANIES ACT 1956 REPRESENTED BY ITS REGIONAL MANAGER
ULUBARI
GUWAHATI 7

VERSUS

SIKDAR RAKIBUL ISLAM AND 6 ORS
S/O ABDUS SALAM SIKDAR
R/O KATHLIJHAR
P.O. AND P.S. BARPETA
NEW HOWLY
DIST. BARPETA
ASSAM
PIN

2:DELOWARA KHATUN

W/O ZAKIR HUSSAIN CHOUDHURY
R/O BALABHITHA
P.S. SORBHOG
DIST. BARPETA
ASSAM.

3:SAHAB UDDIN AHMED

S/O MUSLEM ALI
R/O RAIPUR HOWLY
P.S. BARPETA ROAD
DIST. BARPETA
ASSAM

4:THE DIVISIONAL MANAGER

CHOLA M/S GENERAL INSURANCE CO. LTD. 4TH FLOOR
AASTHA PLAZA
DEORAH COLLEGE
G.S. ROAD
OPP. S.B. ULUBARI
GUWAHATI
ASSAM
781007

5:NAJIM UDDIN

S/O LATE ENNUS ALI
R/O VILL. KALAHABANGA
P.O. AND P.S. BARPETA ROAD
DIST. BARPETA
ASSAM
PIN

6:JAHIDUL ISLAM

S/O LATE SHAHABUDDIN ALI
R/O VILL. SAHAPUR
P.S. SORBHOG
DIST. BARPETA
ASSAM
PIN

7:THE BRANCH MANAGER

NATIONAL INSURANCE CO. LTD.
BARPETA ROAD BRANCH
P.O. AND P.S. BARPETA ROAD
DIST. BARPETA
ASSAM.

Advocate for : MR. S K GOSWAMI
Advocate for : appearing for SIKDAR RAKIBUL ISLAM AND 6 ORS

BEFORE

HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

06.11.2026

1. Heard Mr. SK Goswami, the learned counsel for the applicant. Also heard Mr. A Rahman, the counsel for the OP No. 1.

2. This interlocutory application has been filed by the applicant/ Insurance Company in connection with the connected appeal praying for stay of operation of the judgment and award dated 03.07.2024 passed by the Motor Accident Claims Tribunal, Barpeta in MAC Case No. 464/2014 during pendency of the connected appeal.

3. The learned counsel for the claimant/ OP submits that he does not have any objection to the prayer made by the applicant subject to condition that if the Insurance Company deposits 50% of the awarded amount before this Registry.

4. Since claimant has not objected to the same, this interlocutory application is allowed.

5. The execution of the judgment and award dated 03.07.2024 passed by the Motor Accident Claims Tribunal, Barpeta in MAC Case No. 464/2014 shall remain stayed during the pendency of the connected appeal subject to deposit of 50% of the awarded amount by the applicant Insurance Company before this Registry within a period of six weeks from the date of this order.

6. In the event, such deposit being made same shall be disbursed to the claimant after proper verification on furnishing an indemnity bond to

the same amount.

7. The present IA is accordingly disposed of.

JUDGE

Comparing Assistant