

GAHC010244062024



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

Case No. : I.A.(Civil)/3594/2024

BAJAJ ALLIANZ GENERAL INSURANCE COMPANY LTD
HAVING ITS REGISTERED OFFICE AND HEAD OFFICE AT GE PLAZA
AIRPORT ROAD
YERAWADA
PUNE-411006 AND ITS LOCAL OFFICE AT SREEJI TOWER
3RD FLOOR
ADJACENT TO MAHINDRA SHOW ROOM
CHRISTIAN BASTI
GUWAHATI-781005.

VERSUS

DIPTI DAS AND 2 ORS
W/O. LATE SUJIT DAS
R/O. VILL. BANBEGENA ATI
P/O. BHALUKMARI
P/S. LANKA
DIST. HOJAI
ASSAM
PIN-782446.

2:JAKARIA AHMED
S/O. ABDUL RAHMAN
R/O. VILL. SWAPUR GAON
P/S. MURAJHAR
DIST. HOJAI
ASSAM
PIN-782439

3:FORIJ UDDIN
S/O. NOOR ALI
R/O. VILL. GARIB NAWAJ NAGAR
KOKRIAGAR ROAD

ANTOP HILL
MUMBAI
PIN-400037

Advocate for : MR. R GOSWAMI
Advocate for : appearing for DIPTI DAS AND 2 ORS

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

ORDER

Date : 30.01.2026

- 1.** Heard Mr. R. Goswami, learned counsel for the applicant. Also heard Mr. S. K. Goswami, learned counsel for the respondent No. 1.
- 2.** This interlocutory application has been filed by the applicant/Insurance Company under Order 41 Rule 5 of the Code of Civil Procedure, 1908 in connection with MAC Appeal No. 606/2024 praying for stay of the execution of the impugned judgment and award dated 22.08.2024 passed by the learned Member, Motor Accident Claims Tribunal, Hojai in MAC Case No. 284/2019.
- 3.** The learned counsel for the claimant/respondent does not oppose the prayer, subject to the condition of depositing 25% of the awarded amount before the Registry of this Court.
- 4.** Accordingly, the prayer is allowed.
- 5.** The execution of the impugned judgment and award dated 22.08.2024 passed by the learned Member, Motor Accident Claims Tribunal, Hojai in MAC Case No. 284/2019 is stayed during the pendency of the MAC Appeal No. 606/2024 subject to the condition that the applicant/Insurance Company shall deposit 25% of the awarded amount before the Registry of this Court within six weeks from the date of this order.

- 6.** In the event of such deposit, the Registry shall disburse the same to the claimant/respondent No. 1 after proper verification.
- 7.** This interlocutory application is accordingly disposed of.

JUDGE

Comparing Assistant