GAHC020001892026

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

Case No. : I.A.(Civil)/127/2026

RELIANCE GENERAL INSURANCE CO. LTD
HAVING ITS REGISTERED AND HEAD OFFICE IN 6TH FLOOR
OBEROI COMMERZ INTERNATIONAL BUSINESS PARK OBEROI GARDEN CITY
OFF WESTERN EXPRESS HIGHWAY
GOREGAON (EAST)
MUMBAI - 400063 AND REGIONAL AND DIVISIONAL OFFICES IN SEVERAL PLACES IN INDIA
INCLUDING A REGIONAL OFFICE AT GUWAHATI
ASSAM

VERSUS

SMTI. ASANGLA AND 4 ORS
W/O LATE SONGLEKUMBA KANGSHOU PRESENTLY RESIDING AT SANGTEMLA WARD
MOKOKCHUNG
NAGALAND

2:SHRI YEMBOSANGBA
PRESENTLY RESIDING AT SANGTEMLA WARD
MOKOKCHUNG
NAGALAND (FATHER OF THE DECEASED)

3:SMTI. ALIENLA
PRESENTLY RESIDING AT SANGTEMLA WARD
MOKOKCHUNG
NAGALAND (MOTHER OF THE DECEASED)

4:MR. DIPANKAR GOGOI
R/O P.O. KARANGA
JORHAT. TEMPORARY ADDRESS BOKAJAN BAZAR - 782480

P.S. BOKAJAN
KARBI ANGLONG. (OWNER OF OFFENDING TRUCK)

5:MR. PABITRA GOGIO
S/O TANKESWAR GOGOI
R/O 2 NO. POLIA PATHAR NEAR WATER SUPPLY 2 NO. PATIA NO. 1
POLIA PATHAR
GOLAGHAT
ASSAM (DRIVER OF OFFENDING TRUCK)

Advocate for : VIKRAMJEET DEVNATH
Advocate for : appearing for SMTI. ASANGLA AND 4 ORS

Linked Case : MACApp./21/2026

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ASSAM (DRIVER OF OFFENDING TRUCK)

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Advocate for : TONGPOK PONGENER appearing for SMTI. ASANGLA AND 4 ORS

BEFORE
HONBLE MRS JUSTICE HELEN DAWNGLIANI

O R D E R

27.10.2026

Mr. Vikramjeet Devnath, learned counsel for the Applicant is present alongwith Ms. Keti Imchen, learned counsel for Respondent Nos. 1 to 3.

2. It is seen that the Respondent Nos. 4 and 5 who are the Owner and the Driver of the offending Truck did not contest the claim before the Motor Accident Claims Tribunal and at this stage, it may not be necessary to insist on their presence.

3. The instant application is for stay of the impugned Judgment and Award dated 13.11.2025 passed by the learned Member, Motor Accident Claims Tribunal, Mokokchung, Nagaland in MAC Case No. 1/2024 whereby compensation was awarded in favour of the Respondents/Claimants and the liability has been fasted upon the Applicant.

4. The learned counsel for the Applicant submitted that since the award contains *pendente lite* interest and the award is made effective and the same is to be counted from the date of the award, and as there are sufficient substantial arguable grounds which needs consideration of the Appellate Court, stay of the impugned Judgment and Award is necessary so that the balance of convenience is maintained and no irreparable loss or prejudice is caused to the Appellant.

5. Learned counsel for Respondent Nos. 1 to 3 raises no objection to the application for stay of the impugned Judgment and Award dated 13.11.2025 in MAC Case No. 1/2024.

6. Accordingly, upon hearing the learned counsel as well as from perusal of the Judgment and Award as well as materials available on record, this Court finds reasonable ground to stay the operation of the impugned Judgment and Award.

7. The impugned Judgment and Award dated 13.11.2025, passed in MAC Case No. 1/2024 by the learned Member, Motor Accident Claims Tribunal, Mokokchung shall remain stayed until further order or until final disposal of the instant appeal subject to deposit of 50% of the awarded amount within a period of 2 (two) months from today.

8. With the above Order, the application stands disposed of.

JUDGE

Comparing Assistant