GAHC020008192025

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

Case No. : I.A.(Civil)/229/2025

ORIENTAL INSURANCE COMPANY LTD.
HAVING ITS REGISTERED AND HEAD OFFICE OF ORIENTAL HOUSE A-25/27
ASAF ALI ROAD
NEW DELHI-110002 AND REGIONAL AND DIVISIONAL OFFICES IN SEVERAL PLACES
INCLUDING REGIONAL OFFICE ATY GUWAHATI
ASSAM AND A DIVISIONAL OFFICE AT DIMAPUR IN THE STATE OF NAGALAND.

VERSUS

SMTI. SABIRA MUMTAZ BEGUM AND 5 ORS
W/O LATE AKAMUL ISLAM
R/O GOLAGHAT ROAD
DIMAPUR
NAGALAND (REPRESENTING RESPONDENT NO. 2
3
4)

2:SHRI MD. SHAMIN AHSAN
S/O LATE AKAMUL ISLAM
R/O GOLAGHAT ROAD
DIMAPUR

3:SHRI MD. AKKACH ALI
S/O LATE HACHEN ALI
R/O GOLAGHAT ROAD
DIMAPUR

4:SMTI. JAMENA KHATTON
WIFE OF SHRI MD. AKKACH ALI

R/O GOLAGHAT ROAD
DIMAPUR

5:SHRI BULUMAI HAZARIKA
W/O MR. TELESWAR HAZARIKA
VILLAGE- LOTHOW
P.O. NOWBOICHA
DISTRICT- LAKHIMPUR-ASSAM. (OWNER OF MARUTI ALTO
B/R NO. AS-07-G-6423)

6:SHRI BUL SAIKIA
S/O MANIK SAIKIA
R/O GANDHALIPAR VILLAGE
LAKHIMPUR
ASSAM. (DRIVER OF MARUTI ALTO
B/R NO. AS-07-G-6423)

Advocate for : KIM PIENYU
Advocate for : appearing for SMTI. SABIRA MUMTAZ BEGUM AND 5 ORS

BEFORE
HONBLE MRS JUSTICE HELEN DAWNGLIANI

ORDER

Date : 26-10-2026

Ms. Kim Pienyu, learned counsel for the petitioner is present.

Mr. Imtiwapang, learned counsel for the respondent Nos. 1, 2, 3 and 4 is also present.

This Court vide order dated 11.09.2026 has observed that the service on the respondent Nos. 5 and 6 is waived as their appearance may not be necessary in the instant application for condonation of delay. Accordingly, the appearance of the respondent Nos. 5 and 6 for the instant application stood waived by the said order.

This application has been filed for stay of the impugned Judgment and award dated 01.09.2025 passed by the learned Member, MACT, Dimapur in MAC Case No. 70/2017. By the said order, an award of Rs. 28,05,600/- along with interest at the rate of 7.5% per annum from the date of filing of the claim petition i.e., from 31.08.2017 until payment within a period of 30 days from the date of the order was passed.

By this application, a prayer is made for stay of the operation of the impugned Judgment and award during the pendency of the connected appeal.

The learned counsel for the respondents has fairly submitted that he does not raise any serious objections to the application.

I have perused the application and I am satisfied with the grounds stated at Paragraphs 6, 8 and 9 of the application.

Accordingly, the impugned judgment and award dated 01.09.2025 passed in MAC Case No. 70/2017 shall remain stayed till the final disposal of the connected appeal.

With the above order, the application stands disposed of.

Sd/-
JUDGE

Comparing Assistant