

GAHC020004862026



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

Case No. : I.A.(Civil)/133/2026

SMTI. SAINJALI DIPHUSA AND 2 ORS
WIFE OF LATE TOKUDA HANSU.
PERMANENT RESIDENT OF KHERANI GAON, PS- MANJA, SUB-
DIVISION-DIPHU, DISTRICT- KARBI ANGLONG, ASSAM AND
TEMPORARY RESIDENT OF PURNA BAZAR, DIMAPUR NAGALAND

2: MASTER RANJIT HANSU
SON OF LATE TOKUDA HANSU
PERMANENT RESIDENT OF KHERANI GAON
PS- MANJA
SUB-DIVISION-DIPHU
DISTRICT- KARBI ANGLONG
ASSAM AND TEMPORARY RESIDENT OF PURNA BAZAR
DIMAPUR NAGALAND

3: MISS MAISMI HANSU
DAUGHTER OF LATE TOKUDA HANSU
PERMANENT RESIDENT OF KHERANI GAON
PS- MANJA
SUB-DIVISION-DIPHU
DISTRICT- KARBI ANGLONG
ASSAM AND TEMPORARY RESIDENT OF PURNA BAZAR
DIMAPUR NAGALAN

VERSUS

THE NEW INDIA ASSURANCE CO. LTD.
REPRESENTED BY THE DIVISIONAL MANAGER, DIVISIONAL
OFFICE DIMAPUR, NAGALAND - 797112

Advocate for the Petitioner : Z. KULNU,

Advocate for the Respondent : ,

Linked Case : MACApp./1/2026

THE NEW INDIA ASSURANCE CO. LTD

REPRESENTED BY DIVISIONAL MANAGER
DIVISIONAL OFFICE
DIMAPUR NAGALAND-797112

VERSUS

SMTI. SAINJALI DIPHUSA AND 4 ORS
WIFE OF LATE TOKUDA HANSU.
PERMANENT RESIDENT OF KHERANI GAON
PS- MANJA
SUB-DIVISION-DIPHU
DISTRICT- KARBI ANGLONG
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DIMAPUR NAGALAND

4:SHRI SUNIL TAPPA
SON OD LATE BALU TAPPA
RESIDENT OF BENGNAKOWA RAILWAY CROSSING

GF ROAD GOLAGHAT-785702
TEMPORARY RESIDENT OF RIVER BELT COLONY
DIMAPUR NAGALAND

5:SHRI SAIDUL ISLAM
SON OF MOHAMMAD IBRAHIM
RESIDENT OF H/NO/ 78 A
PURANA BAZAR
DIMAPUR
NAGALAND

Advocate for : PFOSEKHO PFOTTE
Advocate for : Z. KULNU (R-1) appearing for SMTI. SAINJALI DIPHUSA
AND 4 ORS

BEFORE
HON'BLE MRS. JUSTICE YARENJUNGLA LONGKUMER

ORDER

Date : 22.06.2026

The instant I.A. has been filed by the Applicants/Claimants praying for withdrawal of 50% of the awarded amount, which was deposited by the Respondent/Appellant before the Registry of this Court in compliance with the order dated 12.05.2026 passed in I.A.(civil)/5/2026 arising out of MACApp./1/2026.

2. Heard Mr. Z. Kulnu, learned counsel for the Applicants/Claimants. The Applicants herein state that the Appellants had filed the I.A.(Civil)/5/2026 for staying the impugned judgment and award dated 02.09.2025. This Court, after hearing the parties, had disposed of the I.A.(Civil)/5/2026 by order dated 12.05.2026 directing that the Appellants shall deposit 50% of the awarded amount before the Registry of this Court within a period of 60 (sixty) days.

- 3.** Learned counsel for the Appellant/Respondent Insurance Company, Mr. Medo Vero, is present and submits that the Claimants be directed to execute an Indemnity Bond.

- 4.** This Court has considered the facts and circumstances of the case and finds that the Appellant has deposited 50% of the awarded amount on 09.06.2026. Accordingly, Applicant No. 1 is allowed to withdraw the 50% deposited amount through the counsel of the Applicants, as an authorization letter has already been executed by the Claimants/Claimant No. 1 on 15.06.2026, which is Annexure-B to the instant application.

- 5.** The Registry shall permit the counsel for the Applicants/Claimants to withdraw the said amount by execution of an Indemnity Bond.

- 6.** The instant I.A. stands disposed of as allowed.

JUDGE

Comparing Assistant