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

Case No. : I.A.(Civil)/3265/2026

HALIMA BIBI
W/O LATE KALAL UDDIN R/O-SINGIRBOND PART-IV, P.O.DALOGRAM, NIZ
RUPAIBALI DIST-CACHAR, ASSAM, PIN-788101 PRESENTLY RESIDING AT
VILL-KAGIRGRAM P.O.-BANSKANDI, P.S.LAKIPUR PIN-788101, CACHAR.

VERSUS

UNITED INDIA INSURANCE CO LTD AND ORS
HAVING ITS REGISTERED AND HEAD OFFICE AT 24 WHITES ROAD,
CHENNAI-600014 AND ONE OF THE REGIONAL OFFICE AT G.S.ROAD,
DISPUR, GUWAHATI-781005

2:RABIYA BEGUM KAZI
W/O LATE RAHMAT ALI R/O-SINGIRBOND PART-IV
P.O.DALOGRAM
NIZ RUPAIBALI DIST-CACHAR
ASSAM
PIN-788101.

3:ROSHAN ALI
S/O LATE RAHMAT ALI R/O-SINGIRBOND PART-IV
P.O.DALOGRAM
NIZ RUPAIBALI DIST-CACHAR
ASSAM
PIN-788101.BEING MINOR REPRESENTED BY RESPONDENT NO.1.

4:ROSHNI SULTANA
D/O LATE RAHMAT ALI R/O-SINGIRBOND PART-IV
P.O.DALOGRAM
NIZ RUPAIBALI DIST-CACHAR
ASSAM
PIN-788101. BEING MINOR REPRESENTED BY RESPONDENT NO.1.

5:RAEES RUHAN ALI
S/O LATE RAHMAT ALI R/O-SINGIRBOND PART-IV
P.O.DALOGRAM
NIZ RUPAIBALI DIST-CACHAR
ASSAM
PIN-788101.BEING MINOR REPRESENTED BY RESPONDENT NO.1.

6:MATAB UDDIN LASKAR
S/O ABDUL LATIF LASKAR R/O VILL-KABIURA P.O.MEHERPUR
P.S.SILCHAR DIST-CACHAR
ASSAM
PIN-788015.

7:RAJU AHMED LASKAR
S/O YUSUF UDDIN LASKAR R/O VILL-MEHERPUR
P.S.SILCHAR DIST-CACHAR
ASSAM
PIN-78801

Advocate for the Petitioner : MS P BARUAH,

Advocate for the Respondent : MR. A J SAIKIA,

BEFORE
HONOURABLE MRS. JUSTICE YARENJUNGLA LONGKUMER

ORDER

Date : 18.09.2026

Heard Ms. P. Baruah, learned counsel for the appellant. Also heard Mr. A. J. Saikia, learned counsel for the respondents.

2. The instant application has been filed by the applicant/claimant praying for withdrawal of 50% of the awarded amount deposited by the appellant before the Registry of this Court. On pursuance of the order dated 27.02.2026.

3. The learned counsel submits that this Court by order dated 27.02.2026 in I.A. Civil 623/2026 had allowed the application on the condition that the

appellant shall deposit the 50% of the awarded amount before the Registry of this Court. It is stated that the appellant company has already deposited the amount of Rs. 48, 54, 430/- (forty eight lakh fifty four thousand four hundred and thirty) before the Registry of this Court on 23.04.2026.

4. It is stated that the deceased was a CRPF personnel and he was maintaining his family through his salary. However, due to the accident the applicants are suffering great financial hardship as the deceased was the son of the applicant and he was maintaining the entire family. It is therefore prayed that the claimant/applicant may be allowed to withdraw the deposited amount.

5. At this stage the learned counsel, Mr. A.J. Saikia, for the appellants/insurance company has objected to the application on the ground that in the connected appeal the appellants have disputed that the the vehicle insured by the appellant company was involved in the accident.

6. Therefore if the appeal is allowed the appellants may not be at all liable to pay the compensation and if such deposited amount is released it may be difficult to recover the same.

7. This Court has considered the submission of the learned counsel for the parties and is of the view that the deposited amount can be released on the condition that an indemnity bond be executed by the applicant/claimant.

8. The instant application is allowed, the Registry shall allow the applicant/claimant herein to withdraw her portion of the share amounting to 1/5th from the total deposited amount of Rs. 48, 54, 430/- upon proper identification and verification and upon execution of indemnity bond.

9. The application stands disposed of.

JUDGE

Comparing Assistant