

GAHC020007672026



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

Case No. : I.A.(Civil)/210/2026

SHRI INAVI CHISHI AND 4 ORS
F/O LATE JEPITO CHISHI, R/O AKULUTO TOWN, ZUNHEBOTO,
PRESENTLY RESIDING AT HOUSE NO. 882 B, PADUMPUKHERI
VILLAGE, DIMAPUR, NAGALAND

2: SMTI. VIKHELI CHISHI
W/O SHRI INAVI CHISHI
R/O AKULUTO TOWN
ZUNHEBOTO PRESENTLY RESIDING AT HOUSE NO. 882 B
PADUMPUKHERI VILLAGE
DIMAPUR
NAGALAND.

3: MR. CHISHIKA
S/O SHRI INAVI CHISHI
R/O AKULUTO TOWN
ZUNHEBOTO
PRESENTLY RESIDING AT HOUSE NO. 882 B
PADUMPUKHERI VILLAGE
DIMAPUR
NAGALAND.

4: MISS KABOLI CHISHI
D/O SHRI INAVI CHISHI
R/O AKULUTO TOWN
ZUNHEBOTO
PRESENTLY RESIDING AT HOUSE NO. 882 B
PADUMPUKHERI VILLAGE
DIMAPUR
NAGALAND.

5: MISS LINOKA
D/O SHRI INAVI CHISHI

R/O AKULUTO TOWN
ZUNHEBOTO
PRESENTLY RESIDING AT HOUSE NO. 882 B
PADUMPUKHERI VILLAGE
DIMAPUR
NAGALAND

VERSUS

THE ORIENTAL INSURANCE CO. 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 AT GUWAHATI, ASSAM AND A DIVISIONAL
OFFICE AT DIMAPUR IN THE STATE OF NAGALAND

Advocate for the Petitioner : MOAJUNGLA,

Advocate for the Respondent : ,

Linked Case : MACApp./12/2025

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

VERSUS

SHRI INAVI CHISHI AND 6 ORS
F/O LT. JEPITO CHISHI
R/O AKULUTO TOWN
ZUNHEBOTO
PRESENTLY RESIDING AT H/NO. 882 B PADUMPUKHERI VILLAGE
DIMAPUR NAGALAND

2:SMTI VIKHELI CHISHI
W/O SHRI INAVI CHISHI
R/O AKULUTO TOWN
ZUNHEBOTO
PRESENTLY RESIDING AT H/NO. 882 B PADUMPUKHERI VILLAGE
DIMAPUR NAGALAND

3:MR CHISHIKA
S/O INAVI CHISHI
R/O AKULUTO TOWN
ZUNHEBOTO
PRESENTLY RESIDING AT H/NO. 882 B PADUMPUKHERI VILLAGE
DIMAPUR NAGALAND

4:MISS KABOLI CHISHI
D/O INAVI CHISHI
R/O AKULUTO TOWN
ZUNHEBOTO
PRESENTLY RESIDING AT H/NO. 882 B PADUMPUKHERI VILLAGE
DIMAPUR NAGALAND

5:MISS LINOKA
D/O SHRI INAVI CHISHI
R/O AKULUTO TOWN
ZUNHEBOTO
PRESENTLY RESIDING AT H/NO. 882 B PADUMPUKHERI VILLAGE
DIMAPUR NAGALAND

6:MD. MAINUL HOQUE
R/O KHATKHATI
K/A (DRIVER OF THE PICK VEHICLE NEARING NO. NL-07A-7643)

7:SMTI ANITA JAIN
R/O JAIN TEMPLE ROAD
MARWARI PATTI
DIMAPUR
NAGALAND (OWNER OF THE PICK UP VEHICLE BEARING NO.
NL.07A- -7643)

Advocate for : KIM PIENYU
Advocate for : MOAJUNGLA appearing for SHRI INAVI CHISHI AND 6
ORS

BEFORE
HON'BLE MRS. JUSTICE YARENJUNGLA LONGKUMER

ORDER

Date : 08.09.2026

1. The instant application has been filed by the Applicant/Claimant praying for modification of the order dated 17.07.2026 passed in I.A. (Civil)/156/2026.

2. Heard Ms. Moajungla, learned counsel for the Applicant. Learned counsel, Ms. Kim Pienyu is present for the Appellant and Ms. P. Mhonbeni Ezung for Respondent No. 7 in MACApp./12/2025.

3. The submission of the learned counsel for the Applicant is that the present Applicants are the Respondent/Claimant Nos. 1 to 5 in MACApp./12/2025 and the Appellant/Opposite Parties had filed the appeal before this Court against the judgment and award dated 17.03.2025 in MAC Case No. 156/2019, which was registered as MACApp./12/2025.

4. On 22.05.2026 this Court after hearing the parties was pleased to stay the judgment and award dated 17.03.2025 in MAC/156/2019 on the condition that the Appellants shall deposit 50% of the awarded amount within a period of 6 (six) weeks before the Registry of this Court.

5. Thereafter, the Appellant had deposited 50% of the awarded amount before the Registry of this Court on 08.06.2026.

6. The Applicant herein filed an interlocutory application which was registered as I.A.(Civil)/156/2025 for withdrawal of the deposited amount and this Court disposed of the application by order dated 17.07.2026 with the direction to release the amount in the name of the Claimant/Applicant

No. 1, i.e., Inavi Chishi.

7. Thereafter, the Registry of this Court had issued a cheque to the Applicant No. 1 as Inavi Chishi and the Applicant deposited the cheque in his account at the State Bank of India for collection but the Applicant was using a different name in the Bank, i.e., I. Inavi Sema in his Bank account and therefore the Bank authorities did not honour the cheque and it was returned.

8. It is the submission of the learned counsel for the Applicant that the Applicant No. 1 has three different names, i.e., I. Inavi Sema, Inavi Chishi and Inavi Sema and in his Bank account, he has used his name as I. Inavi Sema. Due to this discrepancy the Applicant has not been able to withdraw the amount.

9. In view of these facts and circumstances, the Applicant No. 1 has duly authorized his counsel to withdraw the 50% of the award amount from the Registry of this Court.

10. It is therefore prayed that the order dated 17.07.2026 passed in I.A. (Civil)/156/2026 may be modified accordingly.

11. In view of the submissions made hereinabove, the order dated 17.07.2026 passed in MAC Case No. 156/2019 is hereby modified to the extent that the Registry shall release the deposited amount of Rs. 21,10,944/- (Rupees Twenty-one Lakhs Ten thousand Nine hundred Forty-four only) to the counsel of the Applicant No. 1 as authorized by the letter dated 31.08.2026.

- 12.** I.A. stands disposed of.
- 13.** List MACApp./12/2025 after 2 (two) weeks.

JUDGE

Comparing Assistant