

GAHC010131772026



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

Case No. : I.A.(Civil)/2197/2026

MRS SUKANYA BARUAH AND ORS
W/O LT. MRINALJYOTI DEKA

2: SMTI ANIMA DEKA
W/O SRI BHAGIRATH DEKA

3: MISS JUREE DEKA
D/O SRI BHAGIRATH DEKA
ALL ARE R/O VILL. KAMARKUCHI
P.S. AND DIST. NALBARI
ASSAM
PIN 78133

VERSUS

THE IFFCO TOKIO GENERAL INSURANCE CO LTD AND ORS
A JOINT VENTURE OF INDIAN FARMERS FERTILIZERS COOPERATIVE
LIMITED AND THE TOKIO MARINE AND NICHIDO INSURANCE CO.
LIMITED HAVING ITS OFFICE AT 5TH FLOOR, SAKET BUILDING, NEAR APJ
SCHOOL, 44, PARK STREET, KOLKATA-700016 AND HAVING ITS OFFICE AT
1ST FLOOR, ADITYA TOWER, G.S. ROAD, DISPUR, GUWAHATI, 781006.

2: BABUL KALITA
S/O FATIK KALITA
R/O VILL. KUMAR KAIBARTAGAON
P.O. AND P.S. GARMOR
DIST. JORHAT
ASSAM
PIN 785104

3: JITU BORA
S/O LATE SORURAM BORA
R/O VILL. GARUMARA
P.O. GARUMARA

P.S. PULIBOR
DIST. JORHAT
ASSAM
PIN 78500

Advocate for the Petitioner : MR. A BHATTACHARYYA,

Advocate for the Respondent : MR. R GOSWAMI,

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

Date : 26.06.2026

Heard Mr. A. Bhattacharyya, learned counsel appearing for the applicant/claimant. Also heard Ms. P. Borthakur, learned counsel appearing for the respondent.

2. By way of this interlocutory application, the applicant/claimant has prayed for release of 50% of the awarded amount deposited before the Registry of this Court.

3. It appears that this Court, while admitting the connected appeal by order dated 13.02.2026 and while considering I.A.(Civil) No. 4110/2025 filed for stay of the impugned judgment and award dated 30.05.2025 passed in MAC Case No. 2327/2021, was pleased to stay the operation of the impugned judgment and award, subject to the condition that the appellant-insurance company deposit 50% of the awarded amount before the Registry of this Court within a period of 6 (six) weeks from the date of the said order.

4. Pursuant to the aforesaid order, 50% of the awarded amount has been deposited by the appellant-insurance company before the Registry of this Court.

5. Ms. P. Borthakur, learned counsel appearing for the

respondent/appellant, submits that she has no objection to the release of the aforesaid deposited amount lying with the Registry of this Court.

6. Having heard the learned counsel for the parties and upon perusal of the materials available on record, this Court is of the considered view that the prayer made in the present interlocutory application deserves to be allowed.

7. Accordingly, the Registry of this Court is directed to release 50% of the awarded amount deposited pursuant to the order dated 13.02.2026 in favour of the claimant/applicant, upon proper verification and identification, preferably by transferring the same to the bank account of the claimant/applicant, subject to furnishing of the requisite bank details before the Registry.

8. It is, however, made clear that such release shall remain subject to the outcome of the connected appeal.

9. The interlocutory application stands allowed and disposed of.

JUDGE

Comparing Assistant