GAHC010249562026

2026:GAU-AS:16721

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

Case No. : CRP(IO)/583/2026

DIKHITA BORDOLOI AND 2 ORS.
D/O HITEN BORDOLOI, R/O VILLAGE AND P.O- MIKIRBHETA, DISTRICT- MORIGAON, ASSAM (BEING MINOR, REPRESENTED BY PETITIONER NO. 2 AND PETITIONER NO. 3)

2: HITEN BORDOLOI
S/O LATE JOHESH
R/O VILLAGE AND P.O- MIKIRBHETA
DISTRICT- MORIGAON
ASSAM

3: JOYAMONI BORDOLOI
W/O HITEN BORDOLOI
R/O VILLAGE AND P.O- MIKIRBHETA
DISTRICT- MORIGAON
ASSA

VERSUS

THE NEW INDIA ASSURANCE COMPANY LTD. AND ANR
REGIONAL MANAGER, GUWAHATI, G.S. ROAD, LACHIT NAGAR, P.O- GUWAHATI- 781007, DIST- KAMRUP (M), ASSAM

2:RAFIKUL ISLAM
S/O MD. WAIZAUDDIN
VILLAGE- KATHAGURI
P.O- TUKTUKI
P.S.- DHING
NAGAON
ASSA

Advocate for the Petitioner : MR. A R AGARWALA, MR ADITYA AGARWALA

Advocate for the Respondent : ,

:: BEFORE ::

HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA

O R D E R

13.11.2026

Heard Mr. A.R. Agarwala, the learned counsel appearing for the petitioners.

2. This is an application under Article 227 of the Constitution of India challenging the order dated 12.05.2026 passed by the learned MACT, Morigaon in MAC Case No.59/2022 (Injury).

3. The petitioners are the claimants before the Tribunal. On 12.05.2026, they were absent in the Tribunal and also failed to file their evidence on affidavit and that is the reason why the claim case was dismissed.

4. I have considered the submissions made by Mr. Agarwala.

5. This Court is of the opinion that the petitioners/claimants should have been given some more opportunities to proceed with the case. For the ends of justice, the impugned order is bad in law and stands set aside.

6. The MAC Case No.59/2022(Injury) shall be restored to file and the petitioners/claimants shall be given adequate opportunities to prove their case by filing their evidence.

With the aforesaid direction, the present revision petition is disposed of.

JUDGE

Comparing Assistant