GAHC010230942026

2026:GAU-AS:15990

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

Case No. : CRP/205/2026

BINOD RABHA
S/O DUSHASAN RABHA, R/O VILLAGE- DAMRA PATPARA, P.O.- DAMRA, P.S.- DUDHNOI, DISTRICT- GOALPARA, ASSAM.

VERSUS

THE NEW INDIA ASSURANCE CO. LTD. AND ANR
BONGAIGAON DIVISION, BONGAIGAON, ASSAM REPRESENTED BY THE DIVISIONAL MANAGER.

2:ABDUL MATIN MONDAL
S/O LATE HAJI SIKANDAR ALI
R/O VILLAGE AND P.O.- AOLATOLI
P.S.- LAKHIPUR
DISTRICT- GOALPARA
ASSAM

Advocate for the Petitioner : MS. RUKMINI BARUA, MS. PADMINI BARUA

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 02.11.2026

1. Heard Ms. R. Barua, learned counsel for the petitioner.

2. This is an application under Article 227 of the Constitution of India challenging the Order dated 21.07.2026 passed by the learned Member Motor Accident Claims Tribunal, Goalpara in MAC Case No.271/2022.

3. The petitioner is the claimant in MAC Case No.271/2022. On 21.07.2026, he prayed for an adjournment. The learned Tribunal held that the petitioner did not show any good ground for adjournment. The Tribunal opined that the petitioner was indulging in delay tactics. Therefore, the case was dismissed for non-prosecution.

4. I have considered the submissions made by learned counsel for the petitioner.

5. The provisions relating to the payment of compensation to victims of motor vehicle accidents under the Motor Vehicles Act are beneficial in nature.

6. This Court is of the opinion that the learned Tribunal had taken a mechanical approach while dealing with the matter.

7. Therefore, the order dated 21.07.2026 is bad in law and stands set aside.

8. The Motor Accident Claims Tribunal, Goalpara is directed to dispose of the case after giving adequate opportunity to the claimant to prove his case.

9. With the aforesaid direction, the Civil Revision Petition stands disposed of.

JUDGE

Comparing Assistant