GAHC010236912026

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

Case No. : I.A.(Civil)/3895/2026

NATIONAL INSURANCE CO. LTD.
HAVING ITS REGISTERED OFFICE AT PLOT NO CBD 81, NEW TOWN, KOLKATA AND ONE OF THE REGIONAL OFFICES KHOWN AS GUWAHATI REGIONAL OFFICE AT G.S. ROAD, BHANGAGARH, GUWAHATI, DIST. KAMRUP ASSAM

VERSUS

PARBATI SUTRADHAR AND 4 ORS.
W/O LT MALU SUTRADHAR, R/O VILL ANDURJHAR, PS BILASIPARA, DIST DHUBRI, ASSAM

2:BANDITA SUTRADHAR
D/O LT MALU SUTRADHAR R/O VILL ANDURJHAR PS BILASIPARA DIST DHUBRI ASSAM

3:NIKHIL SUTRADHAR
S/O LT MALU SUTRADHAR R/O VILL ANDURJHAR PS BILASIPARA DIST DHUBRI ASSAM

4:MOSLEM UDDIN
S/O SAYED ALI VILL PASUARKHAL PART II PS BILASIPARA DIST DHUBRI ASSAM

5:MD GAHER ALI KHANDAKAR
S/O LT A ALI KHANDAKAR VILL PASUARKHAL PART I PS BILASIPARA DIST DHUBRI ASSA

Advocate for the Petitioner : MR. K K BHATRA,

Advocate for the Respondent : ,

Linked Case : RP(FAM.CT.)/0/0

NATIONAL INSURANCE CO LTD
HAVING ITS REGISTERED OFFICE AT PLOT NO CBD 81 NEW TOWN KOLKATA AND ONE OF THE REGIONAL OFFICES KHOWN AS GUWAHATI REGIONAL OFFICE AT GS ROAD BHANGAGARH GHY DIST KAMRUP ASSAM

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Advocate for : ALOK KUMAR BHATTACHARYYA
Advocate for : appearing for PARBATI SUTRADHAR

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 06.11.2026

Heard Ms. L Sharma, learned counsel appearing for the applicant.

This is an application filed under Section 173 of the MV Act, 1988 read with Order XLI Rule 5 and Section 151 of the CPC, 1908 praying for stay of operation and execution of the Judgment and Award dated 03.01.2026 passed by the learned MACT, Dhubri in MAC Case No. 20/2022.

I find that the delay has also been satisfactorily explained.

This Court is of the opinion that going for issuing notice to the respondent no. 2 would be nothing but sheer waste of time. Therefore, the delay is condoned.

The connected MAC appeal shall be registered and listed for admission hearing.

It is directed that the operation of the Judgment and Award dated 03.01.2026 passed by the learned MACT, Dhubri in MAC Case No. 20/2022 shall remain stayed till disposal of the connected appeal.

The interlocutory application is disposed of.

JUDGE

Comparing Assistant