

GAHC010047812019



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

Case No. : I.A.(Civil)/1266/2019

NATIONAL INSURANCE COMPANY LIMITED
HAVING ITS REGD OFFICE AT KOLKATA AND ONE OF THE REGIONAL
OFFICES AT G.S. ROAD
GUWAHATI.

VERSUS

SMTI ANJU DAS and 5 ORS
W/O LAE SATYENDRA KR. DAS

2:MISS SILPA DAS

D/O LATE SATYENDRA KR. DAS
3:PARTHA PRATIM DAS

S/O LATE SATYENDRA KR. DAS
4:SMT. ANNA DAS

W/O LATE KMALESHWAR DAS MOTHER OF LATE SATYENDRA KR. DAS
NOS. 1 TO 4 ARE R/O LOWER GROUND FLOOR
NAVAGIRI APARTMENTS
GANESH MANDIR PATH
NEW GUWAHATI
P.S. NOONMATI
GUWAHATI
DIST. KAMRUP
ASSAM
PIN 781020
5:BHADRA SINGH

S/O SRI RAM NAGINA SINGH
R/O GABHARU TUNI JAN

P.S. LALUK
DIST. LAKHIMPUR
ASSAM
PIN 784160
6:RAKHAL BISWAS

S/O SRI UPENDRA BISWAS
R/O VILL. DOOLAHAT
P.S. LALUK
DIST. LAKHIMPUR
ASSAM
PIN 78416

Advocate for : MR. S S SHARMA
Advocate for : MR. K K DUTTA appearing for SMTI ANJU DAS and 5 ORS

BEFORE
THE HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY
ORDER

30.07.2022

The learned counsel for the applicant submits that the connected appeal has already been admitted by order dated 24.04.2019. However, no notice was issued or stay was granted in the present application. Accordingly, he prays for impugned judgment and award dated 02.08.2016 passed in MAC case No. 1471/2014 be stayed. Objecting to such prayer, Mr. Dutta, learned counsel for the respondent Nos. 1 to 4 submits that the award may be stayed however subject to payment of 50% of the awarded amount before the Registry. The learned counsel for the appellant has also not objected to such prayer. Accordingly, the impugned judgment and award dated 02.08.2016 passed in MAC case No. 1471/2014 shall remain stayed till disposal of the connected appeal, however, subject to deposit of 50% of the awarded amount before the Registry of the court.

The Registry of this court shall allow the claimant to withdraw the same after

proper verification and strictly following the procedure laid down in this regards.

IA stands disposed of.

JUDGE

Comparing Assistant