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

Case No. : I.A.(Civil)/2010/2026

MRS HUNPAHI AHOM
W/O LATE PURNA KANTA AHOM RESIDENT OF VILL. JAPIHAZIA GAON, P.O. LAHOAL, DIST. DIBRUGARH, ASSAM.

VERSUS

ICICI LOMBARD GENERAL INSURANCE COMPANY LTD
HAVING ITS REGISTERED OFFICE AND HEAD OFFICE AT ICICI BANK TOWERS, BANDRA KURLA COMPLEX, MUMBAI 400051, ITS ZONAL OFFICE AT APEEJAY HOUSE, 15 PARK STREET, 7TH FLOOR, KOLKATA-700016, AND BRANCH OFFICE AT KAMAKHYA TOWER, 3RD FLOOR, OFFICE NO 305 AND 306 GS ROAD, GUWAHATI 781005 ASSAM

Advocate for the Petitioner : MR. B BARUAH,
Advocate for the Respondent : MR. R GOSWAMI,

Linked Case : MACApp./223/2019

ICICI LOMBARD GENERAL INSURANCE COMPANY LTD
HAVING ITS REGISTERED OFFIECE AND HEAD OFFICE AT ICICI BANK TOWERS
BANDRA KURLA COMPLEX
MUMBAI 400051
ITS ZONAL OFFICE AT APEEJAY HOUSE
15 PARK STREET
7TH FLOOR
KOLKATA- 700016
AND BRANCH OFFICE AT KAMAKHYA TOWER
3RD FLOOR
OFFICE NO 305 AND 305
G.S ROAD
GUWAHATI 781005 ASSAM

VERSUS

MRS. HUNPAHI AHOM and 3 ORS
W/O LATE PURNA KANTA AHOM

2:PURNA KANTA KALITA

S/O LATE BISHADHAR AHOM
BOTH ARE R/O VILL. JAPIHAZIA GAON
P.O. LAHOAL
DIST. DIBRUGARH
ASSAM.

3:MD. SHAKUL @ SHAKDUL SEIKH

S/O MD. NAZRUL ALI SEIKH
R/O 346 G.T. ROAD
P.O. NADAUGHAT
DIST. BURDAWAN
WEST BENGAL DRIVER OF THE VEHICLE NO. WB-41-D-0391 TRUCK

4:MD. MUKTA MANDAL

S/O MD. HAIDAR MANDAL
R/O VILL. BARDHEK
P.O. NANDANGHAT
P.S. PURBASTHALI
BURDWAN 713515 WEST BENGAL OWNER OF THE VEHICLE NO. WB-41-D-0391 TRUCK

Advocate for : MR. R GOSWAMI
Advocate for : MR. B BARUAH (R1) appearing for MRS. HUNPAHI AHOM and 3 ORS

BEFORE
HONOURABLE MR. JUSTICE BUDI HABUNG

ORDER

Date : 18.09.2026

Heard Mr. B. Baruah, learned counsel, appearing on behalf of the applicant. Also heard Mr. R. Goswami, learned counsel appearing on behalf of the Opposite Party/Insurance Company.

2. By this interlocutory application, the applicant has prayed for modification of paragraph No. 13 of the judgment & order dated 28.04.2025 passed by this Court in the connected appeal being MAC. A. 233/2019, to the extent to deletion of the phrase "as per the mode of disbursement and interest as mentioned in the judgment and award dated 29.11.2014".

3. Mr. Baruah, learned counsel for the applicant/claimant, submits that although the awarded amount of Rs. 11,86,000/- has already been deposited by the Insurance Company before the Registry of this Court, the applicant has not been able to withdraw the same in view of the aforesaid directions contained in paragraph No. 13 of the judgment & order, dated 28.04.2025. It is further submitted that, in the judgment and award dated 29.11.2014, it was also directed that out of the total awarded amount, 50% shall be deposited in the name of the claimants for a period of 5 years.

4. Learned counsel further submitted that the applicant is an elderly women aged about 60 years and she is the sole claimant. It is also submitted that owing to her illness and financial hardship, the applicant urgently requires the compensation amount for her sustenance and livelihood. He, therefore, prays that the aforesaid direction regarding the mode of disbursement as mentioned in the judgment and award dated 29.11.2014, be suitably modified and the Registry of this Court be directed to release the deposited amount to the applicant/claimant.

5. Mr. Goswami, learned counsel appearing on behalf of the Opposite Party/Insurance Company fairly submits that he has no objection to the prayer made by the applicant/claimant.

6. Having considered the submissions made by the learned counsels for the

parties,and in view of the no objection expressed on behalf of the Insurance Company, the prayer, as sought for by the applicant/claimant, is hereby allowed.

7. Accordingly, the direction contained in paragraph No. 13 of the judgment & order dated 28.04.2025, insofar as it requires disbursement of the compensation amount "as per the mode of disbursement and interest as mentioned in the judgment and award dated 29.11.2014", stands modified. The Registry shall release the deposited compensation amount of Rs. 11,86,000/- to the applicant/claimant, after due verification and identification of the applicant by the learned Advocate in accordance with the Notification/instruction issued by the Registry of this Court from time to time.

8. The judgment & order, dated 28.04.2025, passed by this Court in MAC.A. 223/2019 stands modified to the extent as indicated above.

9. The interlocutory application stands allowed and accordingly, disposed of.

JUDGE

Comparing Assistant