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

Case No. : I.A.(Civil)/3504/2026

THE ORIENTAL INSURANCE CO. LTD.
A COMPANY REGISTERED UNDER THE COMPANIES ACT
REPRESENTED BY ITS REGIONAL MANAGER
ULUBARI
GUWAHATI-7. DISTRICT- KAMRUP (M)
ASSAM.

VERSUS

SMT. DIPALI BAISHYA AND 4 ORS
W/O- LATE NRIPENDRA NATH BAISHYA

2:MISS ASMITA BAISHYA
S/O- LATE NRIPENDRA NATH BAISHYA

3:RAMAN BAISHYA
S/O- LATE NRIPENDRA NATH BAISHYA
ALL ARE RESIDENTS OF- VILLAGE- MOROWA P.O.- NALBARI P.S.- NALBARI DISTRICT- NALBARI (ASSAM) PIN CODE- 781028

4:SADEK ALI
S/O- MAMUD ALI R/O- HOUSE NI-18
GOPALNAGAR PATHERKUCHI P.O.- BASISTHA P.S.- BASISTHA DISTRICT- KAMRUP (M)
ASSAM. PIN CODE- 781029 (OWNER OF A VEHICLE BEARING REGISTRATION NO. AS-01-LC-1944)

5:JAYDAR ALI
S/O- ROJOB ALI R/O- VILLAGE-TOPAJULI P.O.- KALGACHA
P.S.- KALGACHA
DISTRICT- BARPETA
ASSAM. PIN CODE- 786184 (DRIVER OF A VEHICLE BEARING REGISTRATION NO. AS-01-LC-1944)

Advocate for : MR. S K GOSWAMI
Advocate for : appearing for SMT. DIPALI BAISHYA AND 4 ORS

in

MACApp./538/2026

THE ORIENTAL INSURANCE CO. LTD.
A COMPANY REGISTERED UNDER THE COMPANIES ACT,
REPRESENTED BY ITS REGIONAL MANAGER, ULUBARI,
GUWAHATI-7. DISTRICT- KAMRUP (M), ASSAM.

VERSUS

SMT. DIPALI BAISHYA AND 4 ORS
W/O- LATE NRIPENDRA NATH BAISHYA

2:MISS ASMITA BAISHYA
S/O- LATE NRIPENDRA NATH BAISHYA

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S/O- LATE NRIPENDRA NATH BAISHYA
ALL ARE RESIDENTS OF- VILLAGE- MOROWA
P.O.- NALBARI
P.S.- NALBARI
DISTRICT- NALBARI
(ASSAM) PIN CODE- 781028

4:SADEK ALI
S/O- MAMUD ALI
R/O- HOUSE NI-18
GOPALNAGAR
PATHERKUCHI
P.O.- BASISTHA
P.S.- BASISTHA
DISTRICT- KAMRUP (M)
ASSAM. PIN CODE- 781029
(OWNER OF A VEHICLE BEARING REISTRATION NO. AS-01-LC-1944)

5:JAYDAR ALI
S/O- ROJOB ALI
R/O- VILLAGE-TOPAJULI P.O.- KALGACHA
P.S.- KALGACHA

DISTRICT- BARPETA
ASSAM. PIN CODE- 786184 (DRIVER OF A VEHICLE
BEARING REGISTRATION NO. AS-01-LC-1944

Advocate for the Petitioner : MR. S K GOSWAMI, MR. R SHARMA,MS P SARMA

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

13.10.2026

[1] Heard Mr. R. Sharma, the learned counsel for the applicant.

[2] This interlocutory application has been filed by the applicant/insurance company in connection with MAC Appeal No. 538/2026, praying for stay of execution of the impugned judgment and award dated 16.06.2026, passed in MAC Case No. 548/2024, by the Motor Accident Claims Tribunal No. 2, Kamrup (M) at Guwahati.

[3] The learned counsel for the applicant/insurance company submits that the applicant is ready to deposit 50 % of the awarded amount before the Registry of this court as a condition for grant of stay of the impugned judgement and award. As such, notice to the respondents is waived and this interlocutory application is allowed.

[4] The execution of the impugned judgment and award dated 16.06.2026, passed in MAC Case No.

548/2024, by the Motor Accident Claims Tribunal No. 2, Kamrup (M) at Guwahati shall remain stayed during the pendency of the connected MAC Appeal No. 538/2026, subject to deposit of 50 % of the awarded amount by the applicant/insurance company before the Registry of this court within a period of 4(four) weeks, from the date of this order.

JUDGE

Comparing Assistant