GAHC010209452026

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

Case No. : I.A.(Civil)/3518/2026

HDFC ERGO GENERAL INSURANCE COMPANY LIMITED
HAVING ITS REGISTERED AND CORPORATE OFFICE AT FIRST FLOOR
HDFC HOUSE
165-166 BACKDAY RECLAMATION
H.T. PAREKH MARG
CHURCHGATE
MUMBAI-400020
MAHARASHTRA
ITS ZONAL OFFICE AT FOURTH FLOOR
BLOCK-C
22 CAMAC STREET
KOLKATA
700016 AND THE BRANCH OFFICE IS AT ADITYAM TOWER
6TH FLOOR
ULUBARI
G.S.ROAD
GUWAHATI
KAMRUP (M)
ASSAM IS REPRESENTED BY ITS MANAGER
LITIGATION DEPARTMENT AND T.P. CLAIMS

VERSUS

MD. GAJIBUR RAHMAN AND ANR
SON OF RAHIM UDDIN AKANDA
RESIDENT OF VILLAGE- ERASUTI PATHAR
POLICE STATION- THELAMARA
DISTRICT- SONITPUR
ASSAM
PIN CODE-784110

2:MD. ISMAIL ALI
SON OF LATE LAL MIYA

RESIDENT OF BALIGAON
POLICE STATION- DHEKIAJULI
POST OFFICE- THELAMARA
POLICE STATION-THELAMARA
DISTRICT- SONITPUR
ASSAM
PIN CODE- 784110 (OWNER OF THE VEHICLE BEARING NO. AS 12/C-2972 MAHINDRA JEETO PLUS)

Advocate for : MR T KALITA
Advocate for : appearing for MD. GAJIBUR RAHMAN AND ANR

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 05.10.2026

Learned counsel Mr. T. Kalita is present for the Insurance Company/applicant and has prayed to stay the operation of the impugned Judgment and Award dated 23.06.2026 passed by the learned Member, MACT, Sonitpur at Tezpur in connection with MAC (Injury) Case No. 71/2024.

2. It is submitted that there is every possibility that the appeal will succeed.

3. The applicant/appellant is aggrieved by the quantum of compensation awarded to the claimants.

4. I have considered the submissions at the bar. It appears that the operation of the impugned Judgment and Award dated 23.06.2026 passed by the learned Member, MACT, Sonitpur at Tezpur in connection with MAC (Injury) Case No. 71/2024, may be stayed, subject to the condition that the applicant deposits 50% of the awarded amount.

5. Thereby, the operation of the impugned Judgment and Award dated 23.06.2026 passed by the learned Member, MACT, Sonitpur at Tezpur in connection with MAC (Injury) Case No. 71/2024, is stayed, subject to the condition that the applicant deposits 50% of the awarded amount before the Registry of this Court within six weeks.

6. In terms of the above observation, this interlocutory application stands disposed of.

JUDGE

Comparing Assistant