GAHC010227152026

2026:GAU-AS:15568

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

Case No. : I.A.(Civil)/3646/2026

SMTI RIMPI GOGOI AND ORS
W/O. LATE DINESH GOGOI

2: BINAPANI GOGOI
W/O RUPESWAR GOGOI

3: PORI GOGOI
D/O LATE DINESH GOGOI
BEING MINOR REPRESENTED BY APPLICANT NO. 1

4: PORINITA GOGOI
D/O LATE DINESH GOGOI
ALL ARE R/O LIKSON GAON
DHUPABOR
P.O. ROMONI ALI
P.S. SIMALUGURI
DIST. SIVASAGAR
ASSAM
PIN 785686 BEING MINOR REPRESENTED BY APPLICANT NO.

VERSUS

SHRIRAM GENERAL INSURANCE CO. LTD. AND ORS
1000, E/8, RIICO INDUSTRIAL AREA, SITAPURA, JAIPUR, RAJASTHAN 302022 AND HAVING A BRANCH OFFICE AT B.R. ARCADE, 3RD FLOOR, 21 JANAPATH, ULUBARI, GUWAHATI, REPRESENTED BY ITS BRANCH MANAGER.

2:ABDUL HALIM
S/O ABDUL HASIM
VILL. KHELUA GAO
P.O. CHEREKAPAR
P.S. SIVASAGAR
DIST. SIVASAGAR

ASSAM
PIN 785701

3:JITUL ALI
S/O LATE SOHIDUR RAHMAN
R/O SIVASAGAR NA ALI
P.O. AND P.S. SIVASAGAR
DIST. SIVASAGAR
ASSAM
PIN 78564

Advocate for the Petitioner : MR. M DUTTA, D KHERKATARY

Advocate for the Respondent : MR. R GOSWAMI,

Linked Case : MACApp./419/2026

SHRIRAM GENERAL INSURANCE CO. LTD.
1000
E/8
RIICO INDUSTRIAL AREA
SITAPURA
JAIPUR
RAJASTHAN-302022 AND HAVING A BRANCH OFFICE AT B.R. ARCADE
3RD FLOOR
21 JANAPATH
ULUBARI
GUWAHATI-781007.

VERSUS

SMTI. RIMPI GOGOI AND 5 ORS.
W/O LATE DINESH GOGOI
R/O VILL- LIKSON GAON
DHUPABOR MAUZA
P.O.- ROMONI ALI
P.S.- SIMOLUGURI
DIST- SIVSAGAR
ASSAM
PIN- 785686

2:SMTI. BINAPANI GOGOI
W/O SRI RUPESWAR GOGOI
R/O VILL- LIKSON GAON
DHUPABOR MAUZA
P.O.- ROMONI ALI
P.S.- SIMOLUGURI
DIST- SIVSAGAR
ASSAM
PIN- 785686

3:MISS PORI GOGOI
D/O LATE DINESH GOGOI
R/O VILL- LIKSON GAON
DHUPABOR MAUZA
P.O.- ROMONI ALI
P.S.- SIMOLUGURI
DIST- SIVSAGAR
ASSAM
PIN- 785686 (BEING MINOR
REPRESENTED BY RESPONDENT NO.1)

4:MISS PORINITA GOGOI
D/O LATE DINESH GOGOI
R/O VILL- LIKSON GAON
DHUPABOR MAUZA
P.O.- ROMONI ALI
P.S.- SIMOLUGURI
DIST- SIVSAGAR
ASSAM
PIN- 785686 (BEING MINOR
REPRESENTED BY RESPONDENT NO.1)

5:MD. ABDUL HALIM
S/O ABDUL HASIM
VILLAGE- KHELUA GAON
P.O.- CHEREKAPAR
P.S.- SIVASAGAR
DIST- SIVASAGAR
ASSAM
PIN- 785701

6:MD. JITUL ALI
S/O LATE SOHIDUR ROHMAN
R/O SIVASAGAR NA-ALI
P.O. AND P.S.- SIVASAGAR
DIST- SIVASAGAR
ASSAM
PIN- 785640

Advocate for : MR. R GOSWAMI
Advocate for : MR. M DUTTA(R1
2) appearing for SMTI. RIMPI GOGOI AND 5 ORS.

BEFORE
HONOURABLE MR. JUSTICE PRANJAL DAS

ORDER

Date : 09.10.2026

Heard Mr. M. Dutta, learned counsel for the applicants. Also heard Ms. M. Saikia, learned counsel for the respondents.

2. The instant application has been filed by the claimants/awardees for withdrawing the 50% of the awarded deposited by the appellant/insurance company before the Registry of this Court pursuant to order dated 12.08.2026 passed in I.A.(Civil)/2719/2026 arising out of MACApp. No. 419/2026.

3. The appeal has been admitted on 12.08.2026 and records called for.

4. The learned counsel for the applicants submits that the applicants are the wife, mother and minor children of the deceased respectively. In this context, he has drawn attention of para 7 of the application, whereby it is stated that the applicant no. 2 (mother of the deceased) has consented to the release of the aforesaid deposited amount of Rs.16,89,000/- (Rupees Sixteen Lakh Eighty Nine Thousand) only, in favour of the applicant no. 1 (wife of the deceased).

5. I have perused the affidavit sworn with the application.

6. The learned counsel for the respondent/insurance company/appellant

submits that they have no objection to the same.

7. I also find from the contention of para 7 that the applicants are facing some financial distress due to which they are in need of the money. Accordingly, allowing this application, the applicant no. 1 is permitted to receive the deposited amount Rs. 16,89,000/- (Rupees Sixteen Lakh Eighty Nine Thousand) only, from the Registry upon usual formalities and proper verification. However, it is made clear that the claimants being wife, mother and minor children of the deceased are all Class I legal heirs and are entitled to an equal share in law to the compensation amount.

8. The learned counsel for the applicants fairly submits that some amount may be perhaps kept in fixed deposit in the name of the two minor of the deceased.

9. Upon considering the matter, it is directed that out of the amount received by the applicant no. 1, an amount of Rs.3,00,000/- (Rupees Three Lakh) only, each may be kept in a fixed deposit in a nationalized bank in the name of two minor children of the deceased for a period of 3 (three) years.

10. A compliance thereof may also be submitted.

11. With the above observation, the IA stands disposed of.

JUDGE

Comparing Assistant