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

Case No. : CRP(IO)/540/2026

SANOWAR HOSEN @ SANOWER HUSSAIN
S/O LT. ABDUL BARI, VILL.-ABRARBHITA, P.S.-BAGUAN, DIST.-GOALPARA, ASSAM. PRESENTLY RESIDING AT SADILAPUR, P.O.-JALUKBARI, P.S.-JALUKBARI, GUWAHATI, DIST.-KAMRUP (M), ASSAM, PIN-781012

VERSUS

THE ORIENTAL INSURANCE CO. LTD. AND 2 ORS.
REPRESENTED BY ITS REGIONAL MANAGER, G.S. ROAD, ULUBARI, GUWAHATI-781007.

2:SHOHIDUL ISLAM
S/O LT. SADEK ALI
VILL.-KALYANPUR
P.S.- BAGUAN
DIST.- GOALPARA
ASSAM
PIN- 783129

3:SHAHJAMAL
S/O LT. ABDUL BARI
VILL.- ABRARBHITA
P.S.-BAGUAN
DIST.- GOALPARA
ASSAM
PIN- 78312

Advocate for the Petitioner : MR. S AHMED, T UDDIN,MR. A S AHMED

Advocate for the Respondent : ,

BEFORE

HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

14.10.2026

1. Heard Mr. S Ahmed, the learned counsel for the petitioner.

2. This application under Article 227 of the Constitution of India has been filed by the petitioner impugning the order dated 09/09/2026 passed by Motor Accident Claims Tribunal, No. 2, Kamrup (M) at Guwahati in MAC Case No. 2591/2019, whereby the prayer for producing additional evidence by the present petitioner in the motor accident claims case filed by him was rejected by the Tribunal.

3. The learned counsel for the petitioner submits that the present petitioner has filed a claim under Section 166 of the Motor Vehicles Act claiming compensation on account of injuries sustained by him in a motor vehicular accident which occurred on 30/06/2016. He submits that in the said case, the petitioner as claimant had adduced his evidence on affidavit on 22/07/2026, however, at that time certain documents like charge-sheet, sketch map, MVI report, seizure list etc. were not procured and as such the same could not be adduced along with the evidence on affidavit of the claimant as PW-1. However, later on, on 09/09/2026, the petitioner had filed an application for allowing the

petitioner to adduce the same documents before the Motor Accident Claims Tribunal.

4. The learned counsel for the petitioner submits that though in the impugned order, it has been reflected that the counsel for the claimant was heard, however, in fact, the Tribunal did not conduct the hearing on the petition filed by the claimant/ present petitioner. He further submits that no objection was filed by the learned counsel for the insurance company against the said application. Still, in spite of that, the Motor Accident Claims Tribunal rejected the prayer of the petitioner/claimant.

5. On perusal of the impugned order, it appears that nothing has been mentioned as to whether the insurance company had opposed the said prayer. Under such circumstances, considering the fact that the MAC Case No. 2591/2019 was filed by the present petitioner only seeking compensation for injuries sustained by him in a motor vehicular accident, it appears that if the insurance company is not objecting to the production of said documents, there may not be any reason for rejecting the said prayer. As such, the impugned order dated 09/09/2026 passed in MAC case No. 2591/2019 is hereby set aside, and the matter is again remanded back to the Motor Accident Claims Tribunal to decide the petition No. 5010 dated 09/09/2026 afresh by affording the insurance company an opportunity to object to the said prayer if it desires to do so, and thereafter dispose of the said petition after hearing of both sides.

6. This civil revision petition is disposed of.

7. Only after deciding the petition NO. 5010 dated 09.09.2026 afresh

in pursuant to this order, the MAC Case NO. 2591/2019 shall proceed further.

JUDGE

Comparing Assistant