

GAHC040009822020



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

Case No. : IA(C)/27/2021

Setchawa Mannoe
W/O LT. C.N MANNOW, R/O NAMSAI, PO LATHAW, PS NAMSAI, DIST,
NAMSAI, AP.

VERSUS

The Branch Manager India Assurance Com. Ltd and 2 others
INDIA ASSURANCE COM.LTD. BANDERDEWA, AP, DIV. OFFICE-
RANGAGORA RD. TINSUKIA, ASSAM. 2:MR. AMRIK SINGH

Age: 0

Occupation :

S/O SRI BHAGAT SING NA-PUKHURI

A.T ROAD

PS DIST. TINSUKIA

ASSAM.

3:SRI MOHAN SAHANI

Age: 0

Occupation :

S/O SRI JAGO SAHANI

NA-PUKHURI

A.T. ROAD PS DIST. TINSUKIA

ASSAM

Advocate for the Petitioner : B R Das

Advocate for the Respondent : T Tayeng

Linked Case : MACApp./2/2021

Setchawa Mannoe

Age: 60

Occupation :

Address:W/O LT. C.N MANNOW

R/O NAMSAI DIST. NAMSAI

AP.

VERSUS

The Branch Manager India Assurance Com. Ltd

Age: 0

Occupation :

Address:BANDERDEWA

AP.

2:MR. AMRIK SINGH

Age: 0

Occupation :

Address:S/O SRI BHAGAT SING

NA-PUKHURI

A.T. RAOD PS AND DIST. TINSUKIA

ASSAM

3:SRI MOHAN SAHANI

Age: 0

Occupation :

Address:S/O SRI JAGO SAHANI

NA-PUKHURI

A.T. RAOD PS AND DIST. TINSUKIA

ASSAM

Advocate for : B R Das

Advocate for : T Tayeng appearing for The Branch Manager India Assurance Com.

Ltd: Advocate ,

, appearing for 2,

3, respectively.

BEFORE

HONBLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : 23.11.2023

Heard Ms. Dusu Rillung, learned counsel for the applicant. Also heard Mr. Toktem Tayeng, learned counsel for the Opposite Party No. 1.

In view of this Court's order, dated the applicant, herein, has already taken-up the paper publication for service of notice upon the Opposite Parties No. 2 & 3 in the manner required, on 19.11.2023 and an affidavit to that effect, has been filed.

The service upon Respondents No. 2 & 3, in that view of the matter, is hereby deemed to be complete.

This is an interlocutory application u/s. 5 of the Limitation Act, 1963, praying for condonation of delay of 487 days in preferring the connected appeal which has been preferred assailing the judgment & order, dated 29.07.2019, by the learned Member, MACT, Tezu, Lohit District, Arunachal Pradesh, in MACT Case No. 08/2014.

Ms. Rillung, learned counsel for the applicant, by referring to the pleadings made in the instant interlocutory application, submits that the reasons assigned for condoning the delay, in question, are reasonable and they justify the delay in preferring the connected appeal before this Court.

One of the grounds advanced towards the condonation of delay of 487 days in

preferring the connected appeal, is the onset of Covid-19 pandemic and the lockdown effected thereon.

Mr. Tayeng, learned counsel for Opposite Party No. 1, has not disputed the reasons advanced in the interlocutory application for condonation of delay of 487 days in instituting the connected appeal.

On perusal of the reasons assigned in the interlocutory application justifying the delay, in question; I am of the considered opinion that there are sufficient cause towards explaining the delay of 487 days in preferring the connected appeal by the applicant under the given facts and circumstances of the case.

In view of the above; the delay of 487 days in preferring the connected appeal is hereby condoned.

The interlocutory application accordingly stands disposed of.

JUDGE

Comparing Assistant