

GAHC010006722016



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

Case No. : I.A./203/2016

THE NATIONAL INSURANCE CO. LTD.
SUBSIDIARY OF GENERAL INSURANCE CORPORATION OF INDIA
REGISTERED HEAD OFFICE AT 3, MIDDLETON STREET, CALCUTTA 700071
REPRESENTED BY THE ASSTT. MANAGER, GAUHATI REGIONAL OFFICE,
BHANGAGARH, GUWAHATI 781005

VERSUS

RAM SWARUP BALMIKI and 3 ORS,
S/O UDHANLAL BALMIKI, R/O LUMDING GANDHI COLONY, P.O. and P.S.
LUMDING, DIST. NAGAON, ASSAM, PIN 782447

2:SEKHOR CH. PAUL
S/O BISHNUPADA PAUL
R/O GOVINDAPALLY WARD NO. 6
P.S. HOJAI
P.O. HOJAI
DIST. NAGAON
ASSAM
PIN 782435

3:NIPEN MALAKAR
S/O KHIROD MALAKAR
VILL. JURAPUKHURI
P.S. LANKA
P.O. JURAPUKHURI
DIST. NAGAON
ASSAM
PIN 782446

4:BRANCH MANAGER
ORIENTAL INSURANCE CO. LTD.

DIPHU BRANCH
KARBI ANGLONG
ASSAM
PIN 78246

Advocate for the Petitioner : MS.C MOZUMDAR

Advocate for the Respondent : MRS.R MOMTAZR-1

**BEFORE
HONOURABLE MR. JUSTICE BUDI HABUNG**

ORDER

Date : 21.02.2024

Heard Ms. C. Mozumdar, learned counsel for the applicant. Also heard Mr. R. Hoque, learned counsel appearing on behalf of Mr. A.I. Uddin, learned counsel for the respondent no. 1, Ms. S. Mochahari, learned counsel for the respondent No. 4. None appears for respondent Nos. 2 & 3 although notice has been received by said respondents as per Lawazima Order dated 20.12.2023 and office note dated 02.04.2022.

This is an application under Section 173 of the M.V. Act, 1988 read with Section 5 of the Indian Limitation Act, 1963 praying for condonation of delay of 70 days in filing the connected appeal against the Judgment passed on 19.06.2015 by the learned Member, Motor Accident Claims Tribunal, Hojai in MAC Case No. 169/2014.

The reason for delay in filing the connected appeal has been assigned in paragraph 3 to 13 of the accompanying application. The reason explained in the above paragraphs constitute sufficient cause for condoning the delay of 70 days in filing the connected appeal.

Moreover, the learned counsel for the respondents have no objection if the delay of 70 days in filing the appeal is condoned.

In view of the above, this I.A.(C) is allowed and the delay of 70 days in filing the connected appeal is condoned.

Accordingly, the I.A.(C) is allowed and disposed of.

Registry is directed to register the connected MAC Appeal and list accordingly for admission.

JUDGE

Comparing Assistant