

GAHC010010432020



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

Case No. : I.A.(Civil)/727/2020

NATIONAL INSURANCE CO. LTD.
HAVING ITS REGISTERED OFFICE AT MIDDLETON STREET, KOLKATA AND
ONE OF THE REGIONAL OFFICES KNOWN AS GUWAHATI REGIONAL
OFFICE AT G.S. ROAD, BHANGAGARH, GUWAHATI-5, ASSAM.

VERSUS

SMTI. RINA PAGAG AND 4 ORS.
W/O- LATE JALEN PAGAG, PERMANENT R/O- VILL.- PUB BALIJAN, P.O.
GOGAMUKH, P.S. GOGAMUKH, DIST.- DHEMAJI, ASSAM, PIN- 787034.

2:SRI SUDARSHAN PAGAG
S/O- LATE JALEN PAGAG
PERMANENT R/O- VILL.- PUB BALIJAN
P.O. GOGAMUKH
P.S. GOGAMUKH
DIST.- DHEMAJI
ASSAM
PIN- 787034.

3:MS. SORINA PAGAG
D/O- LATE JALEN PAGAG
PERMANENT R/O- VILL.- PUB BALIJAN
P.O. GOGAMUKH
P.S. GOGAMUKH
DIST.- DHEMAJI
ASSAM
PIN- 787034.

4:SRI AJAY PAWE
S/O- BHADIRAM PAWE
VILL. NO. 2

BONGALMARA
P.O. ISLAMPUR
DIST.- LAKHIMPUR
ASSAM
PIN- 787032.

5:SRI BIREN BORAH
S/O- LATE SANIRAM BORAH
VILL.- PACHIM LALUK
P.O. LALUK
DIST.- LAKHIMPUR
ASSAM
PIN- 784160

Advocate for the Petitioner : MR. C PHUKAN

Advocate for the Respondent : MR. A K GUPTA

Linked Case :

NATIONAL INSURANCE CO. LTD.

VERSUS

SMTI. RINA PAGAG AND 2 ORS

Advocate for : MR. C PHUKAN

Advocate for : appearing for SMTI. RINA PAGAG AND 2 ORS

**BEFORE
HONOURABLE MR. JUSTICE K. SEMA**

ORDER

26.04.2024

Heard Mr. C. Phukan, learned counsel for the applicant and
Mr. A.K. Gupta, learned counsel for the respondent/claimant Nos. 1, 2 & 3.

Seen the Office note dated 29.11.2023.

Service of notice in respect of respondent Nos. 4 & 5 is deemed served.

The present application has been filed under the second provision to Section 173 of the Motor Vehicles Act, 1988 read with Section 5 of the Limitation Act, 1963 for condonation of delay of 63 (sixty-three) days in preferring the connected appeal against the impugned Judgment and Award dated 05.08.2019, passed by the learned Member, Motor Accident Claims Tribunal, Lakhimpur, at North Lakhimpur in MAC Case No. 04/2017. The grounds explaining the delay has been cited in paragraph Nos. 3, 4 & 5 of the application.

This Court, on perusal of the application, is satisfied that the applicant has satisfactorily explained the delay.

The delay of 63 (sixty-three) days is accordingly condoned.

The application stands disposed.

The Registry is directed to register the appeal.

JUDGE

Comparing Assistant