

GAHC010021952024



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

Case No. : I.A.(Civil)/352/2024

THE NATIONAL INSURANCE COMPANY LIMITED
HAVING ITS REGISTERED HEAD OFFICE AT 3, MIDDLETON STREET,
CALCUTTA- 700071 AND REGIONAL OFFICE AT BHANGAGARH,
GUWAHATI, REPRESENTED BY REGIONAL MANAGER, GUWAHATI
REGIONAL OFFICE, BHANGAGARH, GUWAHATI- 781005, DIST.- KAMRUP
(METRO), ASSAM.

VERSUS

SANTI LODH AND 2 ORS.
W/O LATE BABUL CHANDRA LODH,
VILL.- JYOTIKUCHI SANKAR HOTEL, SATAPDI PATH, BYE LANE NO. 1,
P.S.- FATASIL AMBARI, GUWAHATI, DIST.- KAMRUP (METRO), ASSAM.

2:JAYANTA KR LOADH
S/O LATE BABUL CHANDRA LODH

VILL.- JYOTIKUCHI SANKAR HOTEL
SATAPDI PATH
BYE LANE NO. 1
P.S.- FATASIL AMBARI
GUWAHATI
DIST.- KAMRUP (METRO)
ASSAM.

3:MADHABI LODH
D/O LATE BABUL CHANDRA LODH

VILL.- JYOTIKUCHI SANKAR HOTEL
SATAPDI PATH
BYE LANE NO. 1
P.S.- FATASIL AMBARI

GUWAHATI
DIST.- KAMRUP (METRO)
ASSAM.

4:HAREN TALUKDAR
S/O LATE GHANASHYAM TALUKDAR

R/O BIRUBARI
RUPNAGAR PATH
NIZARAPAR
P.S.- PALTANBAZAR
DIST.- KAMRUP (METRO)
ASSAM

Advocate for the Petitioner : MRS. D DAS BARMAN,

Advocate for the Respondent : ,

Linked Case :

THE NATIONAL INSURANCE COMPANY LTD

VERSUS

SANTI LODH AND 2 ORS F

Advocate for : MRS. D DAS BARMAN
Advocate for : appearing for SANTI LODH AND 2 ORS F

Linked Case :

THE NATIONAL INSURANCE COMPANY LTD

VERSUS

SANTI LODH AND 2 ORS F

Advocate for : MRS. D DAS BARMAN
Advocate for : appearing for SANTI LODH AND 2 ORS F

**BEFORE
HONOURABLE MR. JUSTICE BUDI HABUNG**

ORDER

Date : 14-08-2024

No one appears on behalf of the respondents.

Ms. D. D. Barman, learned counsel appears for the applicant.

The office note dated 17.07.2024 reflects that the service of notice upon the respondent nos. 1, 2, 3 and 4 has been completed. However, no one appears on behalf of the said respondents.

This is an application under section 5 of the Limitation Act, 1963 praying for condonation of delay of 204 days in preferring the connected appeal against the judgment and award dated 11.07.2023 passed by the learned Member, MACT No. 2, Kamrup (M) in MAC case no. 1799/2018.

The reason for not filing the connected appeal within the stipulated time has been explained in para 4 of the application.

On perusal of the grounds cited, this Court is satisfied that the applicant has been able to show sufficient cause for not preferring the connected appeal

within the stipulated time.

Since the respondents are not appearing despite receipt of notice it is presumed that the respondents have no objection in condoning the delay of 204 days.

Accordingly, the delay of 204 days in filing the connected appeal is hereby condoned.

With the above, this IA stands disposed of.

The Office shall register the connected appeal and list it for admission on a date to be fixed by the Registry.

JUDGE

Comparing Assistant