

GAHC010037802024



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

Case No. : I.A.(Civil)/715/2024

SHIVDHARI YADAV @ SHIVDHARI RAY
S/O LATE CHHATHU RAY @ YADAV,
RESIDENT OF JAGTI JAMUNIYA, PS KOTUA, DIST EAST CHAMPARAN,
BIHAR, 845432

VERSUS

LAXMI DEVI RAY AND ANR.
W/O SHRI RAJU RAY
RESIDENT OF C/O K.C GOGOI,
HOUSE NO. 6, PO BELTOLA, GUWAHATI 781028, DIST KAMRUP M ASSAM

2:M/S UNIVERSAL SOMPO GENERAL INSURANCE CO. LTD.
BRANCH OFFICE AT 6TH FLOOR
DANDI TOWER
SWARAJ NAGAR
SARUMOTORIA
GUWAHATI 78100

Advocate for the Petitioner : MR. R K JAIN, MS. J BASUMATARY,TULIKA BORAH

Advocate for the Respondent : ,

Linked Case :

SHIVDHARI YADAV @ SHIVDHARI RAY

VERSUS

LAXMI DEVI RAY AND ANR. E

Advocate for : MR. R K JAIN

Advocate for : appearing for LAXMI DEVI RAY AND ANR. E

BEFORE
HONOURABLE MRS. JUSTICE MALASRI NANDI

ORDER

Date : 27.11.2024

Heard Mr. R.K. Jain, learned counsel for the applicant.

None appears for the respondents on call.

The present application has been filed under Section 30(2) and (3) of Employees Compensation Act, 1923 r/w 5 of the Limitation Act, 1963 for condonation of delay of 389 days in preferring the connected appeal against the impugned judgment and award dated 28.11.2022 passed by the learned Commissioner Employees Compensation, Karmup(M), Guwahati in W.C. Case No. 61/2013.

Mr. Jain, learned counsel for the applicant submits that the delay occurred in filing the connected appeal is not intentional. He further submits that the detailed ground of delay has also been explained in the petition. Under such backdrop, the learned counsel for the applicant has prayed that the delay in regard to the filling of the connected appeal may be condoned.

As per track consignment report, notice has been served to the respondent Nos. 1 and 2. None has appeared to represent the respondents.

I have considered the submissions made by the learned counsel for the applicant.

Considering all, the delay of 389 days is hereby condoned. The Registry is directed to register the connected appeal and list it in admission column after two weeks.

With the above observation, I/A stands disposed of.

JUDGE

Comparing Assistant