

GAHC010076602024



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

Case No. : I.A.(Civil)/1118/2024

ON THE DEATH OF MUSTAFIZUR RAHMAN
HIS LEGAL HEIRS JAHANARA BEGUM AND ORS

2: JAHANARA BEGUM
W/O LATE MUSTAFIZUR RAHMAN
R/O VILL-MORI MUSLIM GAON
P.O.
P.S. AND DIST-MORIGAON
ASSAM
PIN-782105

3: SAHIL RAHMAN
S/O LATE MUSTAFIZUR RAHMAN
R/O VILL-MORI MUSLIM GAON
P.O.
P.S. AND DIST-MORIGAON
ASSAM
PIN-782105

4: SUHANA RAHMAN
D/O LATE MUSTAFIZUR RAHMAN
R/O VILL-MORI MUSLIM GAON
P.O.
P.S. AND DIST-MORIGAON
ASSAM
PIN-782105 (BEING MINOR REPRESENTED BY PETITIONER NO. 1

VERSUS

RELIANCE GENERAL INSURANCE CO. LTD AND 2 ORS
DHIANG ARCADE, 4TH FLOOR ABC, G.S. ROAD, GUWAHATI-5

2:RAKESH DAS
S/O MOHIRAM DAS

VILL-KACHADHARA (KUMARGAON)
P.O.-ALIKUCHI
P.S.-RAHA
DIST-NAGAON
ASSAM
PIN-782103

3:MD. IMDAD SHAH
S/O MD. RAMJAN ALI
VILL-BRIGAON
P.O.-DANDUA
P.S. AND DIST-MORIGAON
ASSAM
PIN-78210

Advocate for the Petitioner : MR. M TALUKDAR

Advocate for the Respondent : MR. A J SAIKIA

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 19.04.2024

Heard Mr. M. Talukdar, learned counsel appearing for the applicant. Also heard Mr.A.J.Saikia, learned counsel appearing for the respondent No.1/Insurance Company.

This application has been filed praying for correction of typographical errors appearing in the order dated 15.03.2023 passed in IA(C) No.577/2023.

In the 2nd paragraph of the said order, it has been mentioned that it was an application u/s 5 of the Limitation Act praying for condonation of delay of 1109 days in preferring the appeal.

Mr. Talukdar submits that the delay took place in filing the substitution petition.

It is further pointed out that in the last paragraph of the order dated 15.03.2023, it is stated that the names of respondent Nos. 1 and 3 are struck off from the memo of appeal, whereas it should have been respondent Nos. 2 and 3.

The errors are typographical errors and hence the errors stands corrected. Henceforth, it shall be read as "This is an application u/s 5 of the Limitation Act praying for condonation of delay of 1109 days in filing the substitution petition." Moreover, it shall be read that "the names of respondent Nos. 2 and 3 are struck off from the memo of appeal as well as from the present petition."

This order shall form a part of the order dated 15.03.2023 passed in IA(C) No.577/2023.

With the aforesaid directions, the IA stands disposed of.

JUDGE

Comparing Assistant