

GAHC010093502015



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

Case No. : MC/406/2015

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

PRADIP KUMAR DAS and ANR,
S/O LATE NARAKANTA DAS, VILL. RAJAGHAT, PATHSALA, P.S. and DIST.
BARPETA, ASSAM, PIN-781325

2:SUREN CH. DAS

S/O LT. ARJUN CH. DAS
VILL. KUIRDAHATI
P.S. and DIST. BARPETA
ASSAM OWNER PIN 78130

Advocate for the Petitioner : MS.B BORA, MS.R D MOZUMDAR

Advocate for the Respondent : ,

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

Date : 25.09.2024

1. Heard Ms. R. D. Mozumdar, learned counsel for the petitioner.

2. This application under Section 5 of the Indian Limitation Act, 1963 has been filed by the applicant for condoning the delay of 12 day in filing the connected appeal, whereby the Judgment dated 15.07.2014 passed by the Commissioner, Workmen's Compensation, Bajali Sub-Division, Barpeta in WC Case No.76/2013 has been impugned.
3. On perusal for the Office note dated 13.02.2023, it appears that the notice sent to the respondent No.1 through registered post with AD has returned.
4. It also appears that the notices sent by usual mode to respondent No.2 has returned with a report that the notice has been received by the wife of addressee, i.e., respondent No.2.
5. In view of the reports, the notices are held to be duly served on both the respondents.
6. After hearing the learned counsel for the petitioner and after considering the grounds mentioned in the application filed by the petitioner, this Court is of the considered opinion that delay of 12 days in preferring the connected appeal has been sufficiently explained by the applicant and, therefore, the delay of 12 days is hereby condoned and this MC Appeal Case is accordingly disposed of.
7. The Registry is directed to register the connected MFA and list the same for admission hearing in the next week.

JUDGE

Comparing Assistant