

GAHC010100812023



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

I.A.(Civil)/839/2019

THE NATIONAL INSURANCE COMPANY LIMITED
(SUBSIDIARY OF GENERAL INSURANCE CORPORATION OF INDIA)
REGISTERED HEAD OFFICE AT 3
MIDDLETON STREET
CALCUTTA- 700071
REP. BY THE DEPUTY MANAGER
GAUHATI REGIONAL OFFICE
BHANGAGARH
GUWAHATI- 781005

VERSUS

SMTI. MAHILA BALA RAY AND 2 ORS.
W/O- LATE ASWINI KUMAR RAY

R/O- VILL.- SINGHIMARI
BRAHMATOL
P.O.- NAYAGAON
P.S. ABHAYAPURI
DIST.- BONGAIGAON
ASSAM
PIN- 783384

2:SHAMSUDDIN ANSARI
S/O- LATE R. ANSARI
R/O- 1/3 J.K. GHOSH ROAD
P.O.- BELGACHIA
P.S.- KOLKATA
WEST BENGAL
PIN- 700037
3:BINDADIN PAL
S/O- RAM DAS PAL

R/O- 61 RAM BAGH GWALIOR
P.O.
P.S. AND DIST.- GWALIOR
MADHYA PRADESH
PIN- 474002

Advocate for : MS. R D MOZUMDAR
Advocate for : MR. R ISLAM (r-1) appearing for SMTI. MAHILA BALA RAY AND
2 ORS.

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 06.02.2024

Heard Mr. S.P.Sharma, learned counsel for the applicant and Mr. M.Khan, learned counsel for the claimant/respondent No.1.

By this interlocutory application under Section 173 of the MV Act read with Section 5 of the Limitation Act, the applicant has prayed for condonation of delay of 657 days in preferring the connected MAC Appeal against the Judgment dated 10.11.2016 and order dated 21.05.2018 passed by the learned Member, MACT, Bongaigaon in MAC Case No. 185/2009.

Mr. Khan, learned counsel for the claimant has agreed that the delay has been satisfactorily explained and he has no objection to the prayer of the applicant.

After hearing both sides, delay of 657 days in preferring the connected MAC Appeal is hereby condoned.

Registry shall register the connected appeal and list the same for admission hearing.

The name of Mr.M.Khan, learned counsel be shown in the Cause List as counsel representing respondent No.1/ claimant hereinafter.

The interlocutory application stands allowed and is disposed of.

JUDGE

Comparing Assistant