

GAHC010120642023



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

Case No. : I.A.(Civil)/1587/2023

NATIONAL INSURANCE COMPANY LTD
HAVING ITS REGISTERED OFFICE AND HEAD OFFICE AT 3, MIDDLETON
STREET, KOLKATA AND ITS REGIONAL OFFICE AT BHANGAGARH G.S
ROAD, GUWAHATI 781005 REPRESENTED BY THE CHIEF REGIONAL
MANAGER, GUWAHATI REGIONAL OFFICE

VERSUS

DAMAYANTI KAIBARTA AND 4 ORS.
W/O SRI PRAFULLA KAIBARTA, RESIDENT OF VILLAGE LAOTHARI, PS
MUKALMUA, DIST NALBARI, ASSAM 781126

2:SRI PRAFULLA KAIBARTA
S/O LATE BHUBI KAIBARTA

RESIDENT OF VILLAGE LAOTHARI
PS MUKALMUA
DIST NALBARI
ASSAM 781126

3:SRI NIBARAN THAKURIA

S/O DHANIRAM THAKURIA
RESIDENT OF VILLAGE SANDHELI MAKRAPARA
PS AND DIST NALBARI
ASSAM 781353

4:SRI PAPUL DAS

S/O DANDI DAS

RESIDENT OF ARIKUCHI

PS AND DIST NALBARI
ASSAM 78133

Advocate for the Petitioner : MR T KALITA

Advocate for the Respondent : MR N BARMAN (r-3)

Linked Case :

NATIONAL INSURANCE COMPANY LTD.

VERSUS

DAMAYANTI KAIBARTA AND 4 ORS. B

Advocate for : MR T KALITA

Advocate for : appearing for DAMAYANTI KAIBARTA AND 4 ORS. B

BEFORE
HONOURABLE MR. JUSTICE K. SEMA

ORDER

Date : 26.04.2024

Heard Mr. T. Kalita, learned counsel for the applicant.

Mr. A. N. Iqbal, learned counsel for the respondent No.1 and Mr. Berlia Deuri, learned counsel for the respondent No.3.

The present application has been filed under Section 5 of the Limitation Act, 1963 read with Section 173 of the Motor Vehicles Act for condoning the delay of 110 days in filing the connected Appeal against the judgment and order dated 29.10.2022, passed by the

learned Member, MACT No.3, Kamrup(M) at Guwahati in MAC Case No. 1952/2017.

The delay has been explained in paragraph Nos. 4 to 8 of the application.

This Court, on perusal of the application seeking for condonation of delay, is satisfied that the applicant has satisfactorily explained the delay of 110 days.

The delay of 110 days is, therefore, condoned.
Learned counsel for the respondent Nos. 1 and 3 has also no objection to the application for condoning the delay.

The application stands disposed.

The Registry is directed to register the appeal.

Mr. A. N. Iqbal, learned counsel for the respondent No.1 and Mr. Berlia Deuri, learned counsel for the respondent No.3 shall be reflected in the daily Causelist.

JUDGE

Comparing Assistant