

GAHC010127902023



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

Case No. : I.A.(Civil)/898/2024

ORIENTAL INSURANCE COMPANY LTD.
A CENTRAL GOVT. UNDERTAKING HAVING ITS REGIONAL OFFICE AT
GUWAHATI GS ROAD, ULUBARI, GUWAHATI 781007 REPRESENTED BY
THE DEPUTY MANAGER, GAUHATI REGIONAL OFFICE, GUWAHATI 781005

VERSUS

ALIYA KHATUN AND 3 ORS.
W/O LATE AZIZUR BEPARI,
RESIDENT OF VILLAGE JAGRATAPARA, PO AND PS KRISHNAI, DIST
GOALPARA, ASSAM 783126.

2:ATIKA AKTAR
D/O LATE AZIZUR BEPARI

RESIDENT OF VILLAGE JAGRATAPARA
PO AND PS KRISHNAI
DIST GOALPARA
ASSAM 783126.
TO BE REP. BY. RES. NO. 1

3:AJIDA BEWA
W/O LATE TAFAZAL BEPARI
RESIDENT OF VILLAGE JAGRATAPARA
PO AND PS KRISHNAI
DIST GOALPARA
ASSAM 783126.

4:SUBODH GOPE
S/O LATE SACHINDRA GOPE

RESIDENT OF BABUPARA PO AND PS KRISHNAI

DIST GOALPARA
ASSAM 78312

Advocate for the Petitioner : MS. R D MOZUMDAR

Advocate for the Respondent : MR. S RAHMAN

Linked Case :

ORIENTAL INSURANCE COMPANY LTD.

VERSUS

ALIYA KHATUN AND 3 ORS. B

Advocate for : MS. R D MOZUMDAR

Advocate for : appearing for ALIYA KHATUN AND 3 ORS. B

BEFORE
HONOURABLE MR. JUSTICE BUDI HABUNG

ORDER

Date : 22-03-2024

Heard Mr. S.P. Sharma, learned counsel appearing for the applicant. Also heard Mr. A.N. Iqbal, learned counsel appearing for the Caveator/respondent Nos. 1, 2, and 3.

This is an application under Section 5 of the Limitation Act, 1963 seeking condonation of delay of 25 days in filing the connected appeal under Section 173 of the Motor Vehicle Act, 1988, against the judgment and award dated 04.02.2023, passed by the learned Member, Motor Accident Claims Tribunal, Goalpara, in MAC Cased No. 53/2019.

The grounds for the delay in filing the connected appeal have been explained in Paragraph 3, 4, 5 and 6 of this Interlocutory Application.

Mr. M. Iqbal, learned counsel appearing for the respondent Nos. 1, 2 and 3 fairly stated that he has no objection if the delay of 25 days in filing the connected appeal is condoned.

In view of the above, this Interlocutory Application is allowed. The delay of 25 days in filing the connected appeal is hereby condoned.

With the above, this Interlocutory Application stands allowed and disposed of.

Registry shall register the connected appeal and list the same for admission in usual course by reflecting the name(s) of the learned counsel for the respondents in the Cause-list.

JUDGE

Comparing Assistant