

GAHC010149272022



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

Case No. : I.A.(Civil)/2193/2022

THE ORIENTAL INSURANCE CO. LTD.
A COMPANY REGISTERED UNDER THE COMPANIES ACT, 1956.
REPRESENTED BY ITS REGIONAL MANAGER, ULUBARI, GUWAHATI 7

VERSUS

RAHINI KALITA AND 2 ORS.
S/O LATE NABIN CH. KALITA
RESIDENT OF VILLAGE BARTARY,
PO LANGA, PS SALBARI, DIST BAKSA, ASSAM, 781319

2:TANKESWAR DEKA
S/O DAMAHI DEKA
RESIDENT OF VILAGE PARAHKUCHI
PO PARAHKUCHI
PS SARTHEBARI DIST BARPETA
ASSAM

3:RAJIB KALITA
S/O SAITYA NATH KALITA
RESIDENT OF VILLAGE KOCHDIGA
PO HELANA
PS PATACHARKUCHI
DIST BARPETA
ASSA

Advocate for the Petitioner : MR. S K GOSWAMI

Advocate for the Respondent : MR A N AHMED

Linked Case : MAC App. Filing No. 252/2022

THE ORIENTAL INSURANCE CO. LTD.

VERSUS

RAHINI KALITA AND 2 ORS. B

Advocate for : MR. S K GOSWAMI

Advocate for : appearing for RAHINI KALITA AND 2 ORS. B

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 27.05.2024

Heard Mr.S.K. Goswami, learned counsel appearing for the applicant.

Service of notice upon the respondents is already complete. None appears for them.

This is an application u/s 5 of the Limitation Act praying for condonation of delay of 816 days in preferring the appeal.

In the connected case before the Tribunal, the Oriental Insurance Company Ltd. was not made a party. The claimant made the Branch Manager of Oriental Insurance Company Ltd., Barpeta a party in the aforesaid case. Thereafter, when notice was received by the Oriental Insurance Company Ltd. for payment of compensation, then the matter came to the notice of the Company. In that way the delay took place.

I am of the considered opinion that the delay has been properly explained. Therefore, the delay stands condoned.

The connected MAC Appeal shall be registered and listed for admission hearing.

The IA stands disposed of.

JUDGE

Comparing Assistant