

GAHC010203552022



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

Case No. : I.A.(Civil)/3091/2022

SUREN BHUYAN
S/O LT. SUKRAM BHUYAN,
R/O TINIKHURIA T.E,
P.S.- TEZPUR,
DIST.- SUNITPUR, ASSAM.

VERSUS

UNITED INDIA INSURANCE COM.LTD AND 4 ORS .
REP. BY REGIONAL MANAGER, GS ROAD, GUAHATI, KAMRUP, ASSAM.

2:THE SRIRAM GEN. INSURANCE COM LTD.
GUAHATI
ULUBARI OPP. PRIYA PALACE HOTEL
ULUBARI
GHY- 05.

3:GENERAL MANAGER OF TINIKHURIA T.E
P.O.- DHEKIAJULI

P.S.- TEZPUR

DIST.- SUNITPUR ASSAM.

4:MD. NIJAMUDDIN
C/O KASIM ALI

VILL.- GHOGRA

P.O.- DHEKIAJULI

DIST.- SUNITPUR

ASSAM.

5:MD. ABU KALAM
S/O RANJAN ALI

VILL.- BHATPARA

P.O.- DHEKIAJULI

DIST.- SUNITPUR
ASSAM

Advocate for the Petitioner : B R DAS

Advocate for the Respondent : MR. R GOSWAMI (r-2)

Linked Case : MAC App. 12097/2022 (Filing Number)

SUREN BHUYAN

VERSUS

UNITED INDIA INSURANCE COM.LTD AND 4 ORS . E

Advocate for : B R DAS

Advocate for : appearing for UNITED INDIA INSURANCE COM.LTD AND 4 ORS .
E

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 12.06.2024

Heard Ms. M. Bharati, learned counsel appearing for the applicant, Ms. S. Dev, learned counsel appearing for the respondent No.1 and Mr. R. Goswami, learned counsel appearing for the respondent No. 2.

2. On 13.09.2015, Lt. Ranjan Bhumij lost his life in a motor accident that took place near the town of Tezpur. Thereafter, his wife and other legal heirs filed a Claim Petition before the Tribunal at Guwahati seeking compensation. At one stage, the claimant approached the Tribunal and informed it that he wanted to file the Claim Petition at Tezpur. The claimant requested the Tribunal to give liberty.
3. The Tribunal passed the impugned order disposing of the case on account of withdrawal, but no specific liberty was granted.
4. For the aforesaid reasons, the Tribunal at Tezpur refused to register the Claim Petition. Therefore, after 120 days of delay in preferring the connected appeal, the present application has been filed praying for condonation of delay.
5. Ms. Dev has submitted that the delay has not been properly explained.
6. I have considered the submissions made by the learned counsel of both sides.
7. I have found that the delay has been properly explained.
8. Accordingly, the delay stands condoned.
9. So far as the appeal is concerned, the Tribunal at Tezpur is directed to register the Claim Petition of the claimant and thereafter the Tribunal shall proceed to dispose of the Claim Petition in accordance with the procedures as laid down by law.

The IA stands disposed of.

JUDGE

Comparing Assistant