

GAHC010260222024



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

Case No. : I.A.(Civil)/3916/2024

UNITED INDIA INSURANCE COMPANY LTD
HAVING ITS REGISTERED AND HEAD OFFICE AT 24, WHITES ROAD,
CHENNAI 600014 AND ITS REGIONAL OFFICE AT CHIBBAR HOUSE, 1ST
FLOOR, G.S ROAD, NEAR DISPUR PO , GUWAHATI 781005, REPRESENTED
BBY REGIONAL MANAGER GUWAHATI REGIONAL OFFICE

VERSUS

ANJALI PATGIRI AND 6 ORS
W/O LATE AMULYA PATGIRI,
RESIDENT OF VILLAGE CHAIKATA, PO SINGRA, BOKO, DIST KAMRUP
ASSAM 7811123

2:SRI BIKI PATGIRI
S/O LATE AMULYA PATGIRI
RESIDENT OF VILLAGE CHAIKATA
PO SINGRA
BOKO
DIST KAMRUP ASSAM 7811123

3:SRI LUCKY PATGIRI
S/O LATE AMULYA PATGIRI
RESIDENT OF VILLAGE CHAIKATA
PO SINGRA
BOKO
DIST KAMRUP ASSAM 7811123

4:SRI JAGAT PATGIRI
S/O LATE AMULYA PATGIRI
RESIDENT OF VILLAGE CHAIKATA
PO SINGRA
BOKO
DIST KAMRUP ASSAM 7811123

5:SMTI PROMILA PATGIRI
W/O LATE RAMCHARAN PATGIRI
RESIDENT OF VILLAGE CHAIKATA
PO SINGRA
BOKO
DIST KAMRUP ASSAM 7811123

6:SMTI RUBI SINGH DAS
W/O SRI DIPEN DAS
RESIDENT OF BULARPAR TATIPARA
PO AZARA
DIST KAMRUP M ASSAM

7:SRI RAKESH UDDIN AHMED
S/O SAUKAT ALI
RESIDENT OF AMBARI
PS TAMULPUR
PO KUMARIKATA
DIST BAKSA BTAD ASSA

Advocate for the Petitioner : MR T KALITA, MR. A KAKATI

Advocate for the Respondent : MR. R GOSWAMI (r-1,2),

**BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN
ORDER**

16.12.2024

Heard Mr. T. Kalita, learned counsel for the applicant and Mr. R. Goswami, learned counsel for the opposite parties.

2. This application, under Section 5 of the Limitation Act read with Section 173 of the M.V. Act, is preferred by the applicant for condoning the delay of 62 days in preferring the connected appeal.

3. Mr. Kalita, learned counsel for the applicant submits that the cause of delay in filing the connected appeal is explained in paragraph Nos. 4 – 6. Mr. Kalita further submits that there was delay in obtaining the certified copy and also in

obtaining the legal opinion from the counsel of the appellant and therefore, the said delay had occasioned and that the said delay is not intentional or deliberate but circumstantial and therefore, it is contended to allow the petition.

4. Mr. Goswami, learned counsel for the opposite parties submits that he has no objection in the event of allowing the petition by condoning the delay of 62 days in filing the connected appeal. Mr. Goswami further submits that the matter has already been settled outside the court between the parties.

5. Having heard the submissions of learned counsel for both the parties, I have carefully gone through the petition as well as the documents placed on record.

6. It appears that the delay of 62 days in preferring the connected appeal is sufficiently explained in paragraph Nos. 4 – 6 and the said delay is not intentional but circumstantial and therefore, this court is inclined to allow the petition.

7. In terms of above, this I.A. stands disposed of.

8. Accordingly, the Registry shall register the connected appeal and list the same before this court as soon as practicable.

JUDGE

Comparing Assistant