

GAHC010275862023



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

Case No. : I.A.(Civil)/3686/2023

THE NEW INDIA ASSURANCE CO. LTD.
A COMPANY REGISTERED UNDER THE COMPANIES ACT, 1956.
REPRESENTED BY ITS REGIONAL MANAGER, GS ROAD, GUWAHATI 7

VERSUS

SYEADA AYESHA SIDDIKA AND 6 ORS
W/O LATE AMINUR HUSSAIN
RESIDENT OF VILLAGE KIMOTPUR, WARD NO. 15, PO BALADMARI, PS
AND DIST GOALPARA, ASSAM, 783121

2:ARIZ ARHAN RABBANI
MINOR SON OF LATE AMINUR HUSSAIN
RESIDENT OF VILLAGE KIMOTPUR
WARD NO. 15
PO BALADMARI
PS AND DIST GOALPARA
ASSAM
783121
TO BE REP. BY. RES. NO. 1

3:AHIL RABBANI
MINOR SON OF LATE AMINUR HUSSAIN
RESIDENT OF VILLAGE KIMOTPUR
WARD NO. 15
PO BALADMARI
PS AND DIST GOALPARA
ASSAM
783121
TO BE REP. BY. RES. NO. 1

4:MOHIBUL HUSSAIN

S/O LATE MOHAMMAD HUSSAIN
RESIDENT OF VILLAGE KIMOTPUR
WARD NO. 15
PO BALADMARI
PS AND DIST GOALPARA
ASSAM
783121

5:ANAR KALI BEGUM
W/O MOHIBUL HUSSAIN

RESIDENT OF VILLAGE KIMOTPUR
WARD NO. 15
PO BALADMARI
PS AND DIST GOALPARA
ASSAM
78312

Advocate for the Petitioner : MRS B ACHARYA

Advocate for the Respondent : MR. A R AGARWALA (r-1 to 5)

**BEFORE
HONOURABLE MR. JUSTICE BUDI HABUNG**

ORDER

Date : 04-03-2024

Heard Mr. T. Kalita, learned counsel appears on behalf of Mr. A. Acharya, learned counsel for the applicant. I have also heard Mr. A.R. Agarwala, learned counsel for the respondents/claimant no. 1 to 5.

This is an application under section 5 of the Limitation Act 1963 for condoning the delay of 30(thirty) days in preferring the connected appeal against the judgment and order dated 31.07.2023 in MAC Case No. 235/2019 passed by learned Member MACT Goalpara.

The reasons for delay in filing the connected appeal against the impugned

judgment and order dated 31.07.2023, has been explained in para 3, 4 and 5 of the delay condonation petition. The applicant has been able to satisfy that the applicant/appellant was prevented by a sufficient cause from preferring the appeal in time. Moreover, the respondent has no objection, if the delay of 30 days in preferring the connected appeal is condoned.

In view of the above, the delay of 30(thirty) days in preferring the connected appeal is hereby condoned.

The Registry shall register the connected appeal and place the same for admission hearing in due course.

Accordingly, I.A stands allowed and disposed of.

JUDGE

Comparing Assistant