

GAHC010293322023



2024:GAU-AS:12165

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

Case No. : I.A.(Civil)/760/2024

ORIENTAL INSURANCE COMPANY LTD.
(A CENTRAL GOVT. UNDERTAKING) HAVING ITS REGIONAL OFFICE AT
GUWAHATI, G.S. ROAD, ULUBARI, GUWAHATI- 781007, REP. BY THE
DEPUTY MANAGER, GAUHATI REGIONAL OFFICE, ULUBARI, GUWAHATI-
781007.

VERSUS

MAZADUL KHAN AND 2 ORS.
S/O MANIRUL HOQUE KHAN,
VILL.- MOIRAMARA, P.O. AND P.S.- HOWLY, DIST.- BARPETA, ASSAM, PIN-
781316. (REP. BY HIS MOTHER MAMTAZ BEGUM)

2:MAYNAL HOQUE
S/O KHURSHED ALI

VILL.- HAJI PARA
P.O.- JOSHIHAT PARA
P.S.- HOWLY
DIST.- BARPETA
ASSAM
PIN- 781316.

3:MAA PARAN PUBLIC SCHOOL
KUMULLIPARA
P.O.- JOSHIHATI PARA
P.S.- HOWLY
DIST.- BARPETA
ASSAM
PIN- 781316

Advocate for the Petitioner : MS. R D MOZUMDAR, MR. S P SHARMA, MS. C MOZUMDAR

Advocate for the Respondent : MR. R Deka (R-1), S I AKAND(R-1)

Linked Case :

ORIENTAL INSURANCE COMPANY LTD

VERSUS

MAZADUL KHAN AND 2 ORS. F

Advocate for : MS. R D MOZUMDAR
Advocate for : appearing for MAZADUL KHAN AND 2 ORS. F

**BEFORE
HONOURABLE MR. JUSTICE BUDI HABUNG**

ORDER

Date : 02-12-2024

Heard Mr. S.P. Sharma, learned counsel for the applicant. I have also heard Mr. S.I. Akand, learned counsel for the respondents.

This is an application filed under section 173 of the M.V. Act read with section 5 of the Indian Limitation Act, 1963 praying for condonation of delay of 80 days in filing the connected appeal against the judgment and award dated 30.6.2023 passed by the learned MACT Barpeta in MAC case No.350/2020.

The grounds for delay in not filing the connected appeal on time has

been explained in paragraph 3,4,5,6 and 7 of the condonation petition.

On consideration of the explanation given by the applicant, this Court is satisfied that the applicant has been able to show sufficient cause for not filing the connected appeal within the stipulated time. Further more, the learned counsel for the respondents has no objection, if the delay in filing the connected appeal is condoned.

In view of the above, the delay of 80 days in filing the connected appeal is hereby condoned.

With the above, the I.A is allowed and disposed of.

The Registry shall register the appeal and list for admission on a date to be fixed by the registry.

JUDGE

Comparing Assistant