GAHC010121462026

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

Case No. : I.A.(Civil)/2246/2026

NATIONAL INSURANCE COMPANY LIMITED
A COMPANY REGISTERED AND INCORPORATED UNDER THE COMPANIES ACT, 1956, HAVING ITS REGISTERED OFFICE AT CBD-81, NEW TOWN, KOLKATA 700156 AND ITS REGIONAL OFFICE AT G.S. ROAD, BHANGAGARH, GUWAHATI 781005, REPRESENTED BY ITS CHIEF REGIONAL MANAGER.

VERSUS

GITA DAS AND 6 ORS.
WIFE OF LATE BHAKTA DAS, VILLAGE GOSAIGAON, P.O. DAKHIN BIJNI, P.S. MANIKPUR, DISTRICT BONGAIGAON, ASSAM, PIN 783390. BHAKTA DAS.

2:LALITA DAS
D/O. LT. BHAKTA DAS
R/O. VILLAGE GOSAIGAON
P.O. DAKHIN BIJNI
P.S. MANIKPUR
DISTRICT BONGAIGAON
ASSAM
PIN 783390

3:KUSHAN DAS
SON OF LATE BHAKTA DAS
R/O. VILLAGE GOSAIGAON
P.O. DAKHIN BIJNI
P.S. MANIKPUR
DISTRICT BONGAIGAON
ASSAM
PIN 783390.AS.

4:CHITIKHA RANI DAS
W/O. AKHIL CHANDRA DAS

R/O. VILLAGE GOSAIGAON
P.O. DAKHIN BIJNI
P.S. MANIKPUR
DISTRICT BONGAIGAON
ASSAM
PIN 783390.TA DAS.

5:AKHIL CHANDRA DAS
S/O. LT. BHOLARAM DAS
R/O. VILLAGE GOSAIGAON
P.O. DAKHIN BIJNI
P.S. MANIKPUR
DISTRICT BONGAIGAON
ASSAM
PIN 783390

6:PRAHALLAD SARKAR
SON OF SRI GANESH SARKAR
RESIDENT OF VILLAGE CHOURAGURI
P.O. GORAIMARI
P.S. AND DISTRICT BONGAIGAON
ASSAM
PIN 783390
OWNER OF THE VEHICLE

7:DHANANJAY SARKAR
SON OF SRI GANESH SARKAR
RESIDENT OF VILLAGE CHOURAGURI
P.O. GORAIMARI
P.S. DISTRICT BONGAIGAON
ASSAM
PIN 783390
DRIVER OF THE VEHICL

Advocate for the Petitioner : MRS. S ROY, MS DHRITI HAZARIKA

Advocate for the Respondent : MR. M KHAN(R1TO5), MS. D. DEVI(R6,7),MR. K R PATGIRI(R6,7),MS J AKTAR(R1TO5),MR. R. AHMED(R1TO5)

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

Date : 21.08.2026

1. Heard Ms. D. Hazarika, learned counsel for the applicant. Also heard Mr. M. Khan, learned counsel for the opposite party Nos. 1 to 5 as well as Ms. P. Talukdar, learned counsel for the opposite party Nos. 6 and 7.

2. This interlocutory application has been filed by the applicant/Insurance Company under Section 5 of the Limitation Act, 1963 praying for condonation of delay of 24 days in preferring the connected MAC appeal wherein the judgment and award dated 05.02.2026 passed by the Motor Accident Claims Tribunal, Bongaigaon, in MAC Case No. 303/2022 has been impugned.

3. The learned counsel for the applicant submits that the ground for delay has been stated in paragraph Nos. 4, 5 and 6 of the instant interlocutory application.

4. On the other hand, the learned counsel for the opposite parties has submitted that they do not have any objection if the delay of 24 days is condoned.

5. After considering the submissions made by the learned counsel for the parties as well as going through the records, this Court is of opinion that the grounds stated in the instant interlocutory application by the applicant appears to be sufficient cause which prevented the applicant in preferring the connected appeal within the prescribed period of limitation.

6. As such, the delay of 24 days in preferring the connected appeal is hereby condoned and this interlocutory application is allowed.

7. The Registry is directed to register the connected appeal and list the same for admission after a week on a date to be fixed by it.

8. The Registry is directed to reflect the names of Mr. M. Khan, Mr. K. R. Patgiri as well as Ms. P. Talukdar as as engaged counsel for the respondents.

JUDGE

Comparing Assistant