GAHC010050102017

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

Case No. : I.A.(Civil) 3731/2017
In MAC App. No. 564 of 2017

1:ORIENTAL INSURANCE COMPANY LTD
HAVING ITS REGISTERED OFFICE AT ORIENTAL HOUSE A 25/27 ASAF ALI ROAD, NEW DELHI 110002 AND REGIONAL OFFICE AT GUWAHATI-7, REPRESENTED BY THE REGIONAL MANAGER

VERSUS

1:SMTI CHANDRASAKHI DEVI and 4 ORS
W/O LATE JANESWAR SINGH

2:MISS ANURADHA DEVI
D/O LATE JANESWAR SINGH

3:AMIT SINGH
S/O LATE JANESWAR SINGH

4:MISS SANTANA DEVI
D/O LATE JANESWAR SINGH
ALL ARE R/O VILL. BORKALA
MANIPURIBASTI
P.O. and P.S. SIMALUGURI
DIST. SIVASAGAR
ASSAM
PIN 785686 CLAIMANT NO. 2 TO 4 ARE REPRESENTED BY CLAIMANT NO. 1

5:JADUMANI BURAGOHAIN
S/O SRI KHAGEN BURAGOHAIN
R/O VIL. BORKALA
KOIRIBASTI
P.O. and P.S. SIMALUGURI
DIST. SIVASAGAR
ASSAM

PIN 785686 OWNER CUM DRIVER OF VEHICLE BEARING REGD. NO. AS-04/F-504

Advocate for the Petitioner : MR.S DUTTA

Advocate for the Respondent :

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA

ORDER

04-02-2020

Heard Mr. S. Dutta, learned counsel for the applicant who submits that the delay of 33 days in filing the appeal against the judgment and award dated 21.06.2017 passed by the MACT No. 1, Kamrup, Guwahati in MAC No. 401/2009 should be condoned.

Mr. S. Sinha, learned counsel submits that he is appearing for respondent Nos. 1 to 4 and that he has no objection if the delay is condoned.

Mr. S. Dutta, learned counsel prays that the respondent No. 5 may be struck off from the list of respondents.

Prayer is allowed.

Respondent No. 5 is accordingly struck off from the list of respondents.

On considering the grounds of delay taken by the applicant and keeping in view the submission made by the learned counsel for the respondent Nos. 1 to 4, this Court finds that sufficient cause for the delay has been made out.

Accordingly, the delay of 33 days is condoned.

IA is accordingly disposed of.

JUDGE

Comparing Assistant