GAHC010318172019

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

Case No.: I.A.(Civil)/1474/2019

UNITED INDIA INSURANCE COMPANY LTD.

Address:HAVING ITS REGISTERED OFFICE AND HEAD OFFICE AT 24 WHITES ROAD
CHENNAI AND ITS REGIONAL OFFICE AT G.S. ROAD
DISPUR
GUWAHATI.

VERSUS

SMTI. ANITA BORAH AND 6 ORS.
Address:W/O- LATE PROBIN CH. BORAH

R/O- VILL.- KAKOJAN DULIAJAN
P.O. KAKOJAN
P.S. TEOK
DIST.- JORHAT
ASSAM
PIN- 785107.
2:SRI ABINASH BORAH
Address:S/O- LATE PROBIN CH. BORAH

R/O- VILL.- KAKOJAN DULIAJAN
P.O. KAKOJAN
P.S. TEOK
DIST.- JORHAT
ASSAM
PIN- 785107. (RESPONDENT. 2 BEING MINOR REP. BY MOTHER RES. NO. 1.)

3:MISS ANUSKA BORAH
Address:S/O- LATE PROBIN CH. BORAH

R/O- VILL.- KAKOJAN DULIAJAN
P.O. KAKOJAN

P.S. TEOK
DIST.- JORHAT
ASSAM
PIN- 785107. (RESPONDENT. 3 BEING MINOR REP. BY MOTHER RES. NO. 1.)

4:SMT. KHUDAMAI BORAH
Address:W/O- SRI KONPAI BORAH
R/O- VILL.- KAKOJAN DULIAJAN
P.O. KAKOJAN
P.S. TEOK
DIST.- JORHAT
ASSAM
PIN- 785107.

5:SRI KONPAI BORAH
Address:S/O- LATE MAHARAM BORAH
R/O- VILL.- KAKOJAN DULIAJAN
P.O. KAKOJAN
P.S. TEOK
DIST.- JORHAT
ASSAM
PIN- 785107.

6:SRI RAJU BASNET
Address:S/O- BAM BAHADUR BASNET
R/O- VILL.- KANGLATONGBI
SHANTIPUR
IMPHAL WEST (MANIPUR)
PIN- 795136. (OWNER OF OIL TANKER NO. NL-01/G-5952).

7:SRI BIJOY TAMANG
Address:S/O- BIR BAHADUR TAMANG

R/O- VILL. AND P.O.- KALAPAHAR
P.S. KANGPAKOI
DIST.- SENAPATI (MANIPUR)
PIN- 795122.

Advocate for : MR. R GOSWAMI
Advocate for : MR. Z IQBAL appearing for SMTI. ANITA BORAH AND 6 ORS.:
Advocate ,

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, appearing for 2,

3,
4,
5,
6,
7, respectively.

BEFORE
HONOURABLE MR. JUSTICE MIR ALFAZ ALI

ORDER

25.11.2020:

Heard Mr. R. Goswami, learned counsel for the applicant/petitioner and Mr. K. Kalita, the learned counsel for the claimants/respondent Nos.1 to 5.

By this application under Section 5 of the Limitation Act, the applicant/petitioner sought for condonation of delay of 136 days in preferring the appeal. The cause of delay has been explained in paragraph Nos.2 and 3 of the application.

Learned counsel for the respondent Nos.1 to 5 has no objection in condoning the delay.

Having considered the grounds for delay as reflected in the application in paragraph Nos.3 and 4 and having taken note of the submission made by the learned counsel for the applicant, this Court is of the view that the applicant has been able to show sufficient cause for condoning the delay of 136 days.

Accordingly, the application under Section 5 of the Limitation Act is allowed and the delay stands condoned.

Office to register the connected appeal and list it.

JUDGE

Comparing Assistant