GAHC010150822019

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

Case No. : I.A.(Civil)/3145/2019

M/S NEW INDIA ASSURANCE COMPANY LIMITED
HAVING ITS REGISTERED OFFICE AT NEW ASSURANCE BUILDING 87, MAHATMA GANDHI ROAD, MUMBAI AND ONE OF THE REGIONAL OFFICE AT STAR CITY COMPLEX, 5TH FLOOR, LACHIT NAGAR, GUWAHATI-781005, NEAR HANUMAN MANDIR.

VERSUS

MD. MUSTAFA AHMED AND ANR
S/O- MD. SUKUR ALI, R/O- VILL.- KATAHGURI (TUKTUKI), P.S. DHING, NAGAON, ASSAM, PIN- 782123.

2:MD. MONIR UDDI

Advocate for the Petitioner : MR. K K BHATTA

Advocate for the Respondent :

BEFORE
HONOURABLE MR. JUSTICE MIR ALFAZ ALI

ORDER

Date : 23-11-2020

Heard the learned counsel for the applicant. None appears for the respondents.

Office note dated 23.06.2020 and the A/D Card annexed to the record and marked as A/D shows that notice sent to the respondents has been served. However, despite service of notice, none appears for the respondents.

By this application filed under Section 5 of the Limitation Act, the applicant has prayed for condonation of delay of 67 days in filing the appeal against the judgment and award dated 18.02.2019, passed by the learned Commissioner For Employees' Compensation, Nagaon, Assam in NEC Case No. 103/2010.

The cause of delay has been narrated in paragraphs 2, 3 and 4 of the petition in detailed.

Having considered the ground taken in the petition and upon hearing the learned counsel for the petitioner, I am of the view that the petitioner has sufficiently explained the delay and has been able to make out a good case to show sufficient reasons for condoning the delay of 67 days in preferring the connected appeal. Accordingly, the delay is condoned and the petition under Section 5 of the Limitation Act is allowed.

The I.A. stands disposed of.

Office to register the connected appeal and list accordingly.

JUDGE

Comparing Assistant