GAHC010053692026

2026:GAU-AS:16144

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

Case No. : I.A.(Civil)/878/2026

NEW INDIA ASSURANCE CO. LTD.
A COMPANY REGISTERED UNDER THE COMPANIES ACT, 1956,
REPRESENTED BY ITS REGIONAL MANAGER, G.S. ROAD, GUWAHATI-781007

VERSUS

AKKAR ALI AND 2 ORS.
S/O LT. HOSEN ALI, R/O VILL- BANIAMARI PT- IV, P.O- CHAPRA, P.S- GAURIPUR, DIST- DHUBRI, ASSAM, P.A- VILL- MANIPUR PT I P.O- MAHAMAYADHAM, P.S- BAGRIBARI, DIST- DHUBRI, ASSAM-783349

2:FATE BIBI
W/O AKKAR ALI
R/O VILL- BANIAMARI PT IV
P.O- CHAPRA
P.S- GAURIPUR
DIST- DHUBRI
ASSAM
P.A- VILL- MANIPUR PT- I
P.O MAHAMAYADHAM
P.S- BAGRIBARI
DIST- DHUBRI
ASSAM- 783349

3:NANDINI SEN
W/O BIKRAM SEN
R/O NARAYANPUL
PURBA LAXMIPUL
HAWRA
NORTH 24 PGNS
WEST BENGAL- 74323

Advocate for the Petitioner : MR. A ACHARYA,

Advocate for the Respondent : MR. M TALUKDAR(R2),

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 04.11.2026

Learned Counsel Mr. A. Acharya is present for the applicant insurance company who has filed this interlocutory application under Section 5 of the Limitation Act for condonation of delay of 60 days in preferring the connected appeal against the judgment and order dated 11.11.2025, passed by the Commissioner, Employee's Compensation, Dhubri in Case No.E.C.08/2016.

2. Learned counsel Mr. M. Talukdar appearing on behalf of the opposite party submits that he has no objection if the delay is condoned.

3. Learned Counsel for the applicant submits that the learned Commissioner passed the judgment in Case No. E.C. 08/2016 on 11.11.2025 and the same was communicated by the engaged Advocate to the New India Assurance Co. Ltd. whereby legal opinion was given by the engaged counsel on 10.12.2025. Thereafter, the Assistant Manager prepared the notes of the said case for the Regional–in-Charge which was countersigned by the Deputy Manager on 12.12.2025 itself and the case was forwarded to the Regional office at Guwahati which was received on 19.12.2025. The Regional office then sought legal opinion of the Advocate of their company practising at High Court via mail dated 12.01.2026 and by letter dated 21.01.2026, the said Advocate gave an addendum to the earlier opinion. Thereafter, the Manager of the insurance company gave his approval on 27.01.2026. After carrying out all formalities, ,

there was an inadvertent delay without any malafide.

4. I have considered the submissions at the Bar.

5. Sufficient grounds have been shown. No malafide is discernable.

6. Accordingly, the delay of 60 days in preferring the connected appeal against the aforesaid judgment and order is hereby condoned.

7. Interlocutory application stands disposed.

8. Registry to register the connected appeal and list on 13.11.2026 and also to reflect the name of Mr. M. Talukdar, learned counsel for the opposite party in Cause List after registering the appeal.

JUDGE

Comparing Assistant