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

Case No. : I.A.(Civil)/2211/2026
In MAC App/5327/2026

THE ORIENTAL INSURANCE CO. LTD.
A COMPANY REGISTERED UNDER THE COMPANIES ACT, 1956,
REPRESENTED BY ITS REGIONAL MANAGER, ULUBARI, GUWAHATI-7.

VERSUS

MANCHURA KHATUN AND 4 ORS.
W/O LATE SHAHA MAJID @ SHAHA MAZID HUSSAIN, RESIDENT OF VILLAGE- GOBARDHANPARA PART-I, P.O.- GOBARDHANPARA, P.S.- BILASIPARA, DISTRICT- DHUBRI, ASSAM, PIN- 783348

2:MOSLIM BIN AKLESH
S/O LATE SHAHA MAJID @ SHAHA MAZID HUSSAIN
RESIDENT OF VILLAGE- GOBARDHANPARA PART-I
P.O.- GOBARDHANPARA
P.S.- BILASIPARA
DISTRICT- DHUBRI
ASSAM
PIN- 783348

3:SAHERA BIBI
W/O LATE SEKENDER ALI
RESIDENT OF VILLAGE- GOBARDHANPARA PART-I
P.O.- GOBARDHANPARA
P.S.- BILASIPARA
DISTRICT- DHUBRI
ASSAM
PIN- 783348

4:MOZINUR RAHMAN
S/O RAMJAN ALI
R/O VILLAGE- GOBARDHANPARA
P.O.- GOBARDHANPARA
P.S.-BILASIPARA

DISTRICT- DHUBRI
ASSAM. PIN- 783348

5:ANISUR RAHMAN @ POWALI
S/O RAMJAN ALI
R/O GOBARDHANPARA
P.O.- GOBARDHANPARA
P.S.- DHUBRI
DISTRICT- DHUBRI
ASSAM. PIN- 78334

Advocate for the Petitioner : MR. S K GOSWAMI, MR. SHYAM SHARMA,MR. R SHARMA,MS P SARMA

Advocate for the Respondent : MR. M MONDAL(R1,3), S ISLAM(R4),MR M Z SHAH(R4)

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

25.11.2026

Heard Shri S. K. Goswami, learned counsel for the applicant, who by means of this application has prayed for condonation of delay of 133 days in preferring the connected appeal. The appeal has been preferred against a judgment and award dated 19.09.2025 passed by the learned MACT, Dhubri in MAC Case No.24/2019 (D).

Also heard Shri M. Mondal, learned counsel for respondent nos. 1 to 3 and Shri H. A. Ahmed on behalf of Shri M. Z. Shah for respondent no. 4.

Shri Goswami, the learned counsel for the applicant, has drawn the attention of this Court to the averments made in paragraphs 3 and 4 and has contended that the delay has occasioned not because of any negligence or laches, but because of factors which were beyond the control. He has also submitted that the delay is not intentional and interest of justice would require condonation of the delay.

The learned counsel for the respondents have submitted that they would not have serious objections to the aspect of condonation of delay and would rather contest the appeal on merits.

Considering the above and the principles governing the adjudication of an application for condonation of delay, which requires to have a pragmatic and justice-oriented approach, the delay of 133 days in preferring the appeal is hereby condoned.

I. A. stands allowed.

JUDGE

Comparing Assistant