GAHC010191592026

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

Case No. : I.A.(Civil)/3470/2026

IFFCO-TOKIO GENERAL INSURANCE COMPANY LIMITED
HAVING ITS REGISTERED OFFICE AT IFFCO SADAN, C-1, DISTRICT CENTRE, SAKET, NEW DELHI 110017 AND KOLKATA CSC AT 5TH FLOOR, IFFCO BHAWAN, PLOT NO.AA-IIE/67 NEW TOWN, KOLKATA, WEST BENGAL-700161 AND ONE OF THE BRANCH OFFICES AT ADITYA TOWER 1ST FLOOR OPPOSITE TO DOWN TOWN HOSPITAL P.O. RUKMINIGAON, MSS PATH GUWAHATI- 781006

VERSUS

SMTI CHANDANI KHATUN AND 3 ORS
WIFE OF SAGIR ANSARI

2:SAGIR ANSARI
SON OF SAGIR ALI BOTH ARE PERMANENT RESIDENTS OF VILLAGE- TAMILPUR MADHUBAN DISTRICT- EAST CHAMPARAN
BIHAR PIN-845420 AND TEMPORARY RESIDENTS OF TINGRAI GAON
NEAR 2ND APBN P.O. AND P.S. MAKUM
DISTRICT- TINSUKIA
ASSAM PIN-786170 .

3:SMTI RINA DAS
WIFE OF BUDHESWAR DAS RESIDENT OF 23 NO. CHOTAHAPJAN P.O. MAKUM P.S. MAKUM DISTRICT- TINSUKIA ASSAM PIN CODE -786170 .RESPONDENT/ OWNER OF VEHICLE NO.AS-23/AF-7347 (MOTOR CYCLE)

4:SRI JUBIN SAIKIA
SON OF SRI JAYANTA SAIKIA RESIDENT OF 23 NO. SHANTIPUR GAON P.O. MAKUM P.S. MAKUM DISTRICT- TINSUKIA
ASSAM
PIN-786170 .RESPONDENT / DRIVER OF VEHICLE NO.AS- AS-23/AF-7347 (MOTOR CYCLE

Advocate for the Petitioner : MR. A J SAIKIA, M CHETIA

Advocate for the Respondent : A. K. KANU, MR M AHMED,FOR CAVEATOR

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

Date : 19.11.2026

Learned counsel Mr. A. J. Saikia is present for the insurance company/applicant and learned counsel Mr. M. Ahmed is present for the claimants/respondent Nos. 1 and 2.

2. This is an application under Section 5 of the Limitation Act with prayer for condoning delay of 56 days in preferring the connected MAC Appeal against the Judgment and order dated 07.04.2026 passed by the learned Additional Member, MACT, Tinsukia in MAC Case No.50/2024.

3. I have heard the submissions at the Bar.

4. It is submitted that Judgment and Order was delivered on 07.04.2026 in connection with MAC Case No.50/2024 by the learned Member, MACT, Tinsukia. The dealing Advocate then applied for the copies of the Judgment which was received on 03.06.2026 and the insurance company was provided with the certified copy on 08.06.2026 and the dealing officers of the company had gone through the judgment on 10.06.2026 and thereafter discussion was held that the learned Tribunal had awarded higher compensation to the claimants and the matter was taken up with higher officers at Kolkata on 16.06.2026. Requisition for preparation of statutory deposition of cheque was sent to the accounts department on 25.06.2026 and the statutory deposit was prepared on

05.08.2026 by the accounts department and this led to the delay of 56 days.

3. It appears that delay may be condoned. No malafide is discernible. Sufficient grounds have been shown and thereby the delay of 56 days in preferring the connected appeal is hereby condoned.

4. Registry to register the connected appeal.

5. Registry is directed to reflect the name of learned counsel Mr. M. Ahmed for the respondents in the Cause List after registering the appeal.

6. Interlocutory application stands disposed of.

JUDGE

Comparing Assistant