

GAHC010013262025



2026:GAU-AS:2609

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

Case No. : I.A.(Civil)/318/2025

CHOLAMANDALAM MS. GENERAL INSURANCE CO. LTD.
HAVING ITS BRANCH OFFICE AT AASTHA PLAZA, OPPOSITE OF S.B.
DEORAH COLLEGE, 4TH FLOOR, BORA SERVICE, GUWAHATI, DIST.
KAMRUP(M), ASSAM (REP. BY ITS DEPUTY MANAGER, TP CLAIMS, MR.
KAIFI ANAM)

VERSUS

BHUMIKA DEKA
D/O. LT. TRAILUKYA DEKA.

2:NETRA KUMAR DEKA
S/O. LT. TRAILUKYA DEKA.

3:MUNMI DEKA
D/O. LT. TRAILUKYA DEKA.
(CLAIMANT/RESPONDENT NO.3 BEING MINOR IS REP. BY HER ELDER
SISTER I.E.

THE CLAIMANT/RESPONDENT NO. 1)

ALL ARE R/O.-

VILL.- DANDUA
P/S. MORIGAON
DIST. MORIGAON
ASSAM
PIN-782104.

4:HABIBUR RAHMAN
S/O. MATLEB ALI
R/O. VILL. GOLDEN PATH
HATIGAON HOUSE NO.-12
B/L-1
BHETAPARA ROAD

P/S. HATIGAON
DIST. KAMRUP(M)
ASSAM
PIN-781038.

5:MATINUR ALI
S/O. JABEDUR ALI
R/O. VILL.- AMBARI
P/S.DHUPDHARA
DIST. GOALPARA
ASSAM
PIN-783120

Advocate for the Petitioner : MR. A BHATTACHARYYA,

Advocate for the Respondent : MR M HAQUE (R-4,5), MR S ISLAM (R-4,5),MR M HAQUE (R-4,5),MS. P BORAH(R-1),MR. K BORUAH (R-1),MR. M ALAM(R-1),MR S ISLAM(R-4,5),S HOQUE(R-4,5),P ADHIKARI(R-4,5)

In
MACApp. Case No. 781/2025

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

20.02.2026

[1] Heard Mr. A. Bhattacharyya, the learned counsel for the applicant. Also heard Ms. P. Borah, the learned counsel for the respondent Nos. 1 to 3 as well as Ms. P. Adhikari appearing for the respondent Nos. 4 and 5.

[2] This application under Section 5 of the Limitation Act, 1963 has been preferred by the applicant insurance company praying for condonation of delay of 29 days in filing the connected MACAppeal, wherein the applicant has impugned judgment and award dated 24.09.2024, passed in MAC Case No. 29/2020, by the learned

Member, Motor Accident Claims Tribunal, Morigaon.

[3] The applicant has explained the reasons for delay in paragraph Nos. 3 to 6 of the instant application.

[4] The learned counsel for the respondents considering the reasons shown by the applicant in the instant application have not raised any objection against the prayer for condonation of delay.

[5] In view of the above, this interlocutory application (civil) is accordingly allowed and the delay of 29 days in filing the connected MACAppeal is hereby condoned.

[6] The Registry is directed to register the connected MACAppeal and list the same for admission after a week, on a date to be fixed by the Registry.

[7] This Interlocutory Application (Civil) is accordingly disposed of.

JUDGE

Comparing Assistant