

GAHC010019312026



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

Case No. : I.A.(Civil)/268/2026

TATA AIG INSURANCE CO. LTD.
HAVING ITS REGISTERED AND CORPORATE OFFICE AT 15TH FLOOR,
TOWER A, PENINSULA BUSINESS PARK, G K MARG, LOWER PAREL,
MUMBAI, ITS ZONAL OFFICE AT 3RD FLOOR, MAYUR GARDEN, G.S. ROAD,
G.S. ROAD, GUWAHATI, ASSAM IS REPRESENTED BY ITS DEPUTY
-MANAGER, LEGAL CLAIMS

VERSUS

MRS TASLIMA KHATUN AND 6 ORS
WIFE OF LATE ISMAIL ALI

2:MISS ISHTIKHARA KHATUN
DAUGHTER OF LATE ISMAIL ALI

3:MD ABU NASIM TOHID
SON OF LATE ISMAIL ALI

4:MDABU TALHA
SON OF LATE ISMAIL ALI

5:MDABDUL BAREK
SON OF LATE ABBAS ALI ALL ARE THE RESIDENTS OF-
VILLAGEKOPOUJARI
POST OFFICE- KARATIPAM
POLICE STATION- MORIGAON
DISTRICT- MORIGAON
ASSAM
RESPONDENT NOS. 2
3 4 BEING MINOR ARE REPRESENTED BY THE RESPONDENT NO. 1

6:MD AIJUL

SON OF ABDUL JALIL
RESIDENT OF VILLAGE- KARATIPAM
POLICE STATION KARATIPAM
DISTRICT- MORIGAON
ASSAM
PIN CODE-782105 OWNER OF THE VEHICLE BEARING NO. AS 21/C6465

7:MD ATAB HUSSAIN AHMED
SON OF ABDUL MUTALIB
RESIDENT OF VILAGE- GOROIMARI
POLICE STATION- LAHORIGHAT
DISTRICT MORIGAON
ASSAM
PIN CODE 782127 DRIVER OF THE VEHICLE BEARING NO. AS 21/C646

Advocate for the Petitioner : MR T KALITA, MR. A KAKATI

Advocate for the Respondent : B SARMA(R1 TO 5), MR. M TALUKDAR(R1 TO 5)

Linked Case : RP(FAM.CT.)/0/0

TATA AIG GENERAL INSURANCE COMPANY LIMITED
HAVING ITS REGISTERED AND CORPORATE OFFICE AT 15TH FLOOR
TOWER A
PENINSULA BUSINESS PARK
G K MARG
LOWER PAREL
MUMBAI
MAHARASHTRA
400013
INDIA
ITS ZONAL OFFICE AT 3RD FLOOR
MAYUR GARDEN
G.S. ROAD
OPPOSITE HDFC BANK
G.S. ROAD
GUWAHATI 781

VERSUS

MRS TASLIMA KHATUN

AGED ABOUT 39 YEARS
WIFE OF LATE ISMAIL ALI RESIDENTS OF- VILLAGEKOPOUJARI
POST OFFICE- KARATIPAM
POLICE STATION- MORIGAON
DISTRICTMORIGAON
ASSAM
PIN CODE- 782105 RESPONDENT NOS. 2
3 AND 4 BEING MINOR

2:MISS ISHTIKHARA KHATUN
DAUGHTER OF LATE ISMAIL ALI RESIDENTS OF- VILLAGEKOPOUJARI
POST OFFICE- KARATIPAM
POLICE STATION- MORIGAON
DISTRICTMORIGAON
ASSAM
PIN CODE- 782105 RESPONDENT NOS. 2
3 AND 4 BEING MINOR ARE REPRESENTED BY THE RESPONDENT NO.

3:MD ABU NASIM TOHID
AGED ABOUT 13 YEARS
SON OF LATE ISMAIL ALI RESIDENTS OF- VILLAGEKOPOUJARI
POST OFFICE- KARATIPAM
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ASSAM
PIN CODE- 782105 RESPONDENT NOS. 2
3 AND 4 BEING MINOR ARE REPRESENTED BY THE RESPONDENT NO.

4:MD ABU TALHA
AGED ABOUT 8 YEARS
SON OF LATE ISMAIL ALI RESIDENTS OF- VILLAGEKOPOUJARI
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POLICE STATION- MORIGAON
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SON OF LATE ABBAS ALI RESIDENTS OF- VILLAGEKOPOUJARI
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THE VEHICLE BEARING NO. AS 21/C-6465

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SON OF ABDUL MUTALIB
RESIDENT OF VILLAGEGOROIMARI
POLICE STATION- LAHORIGHAT
DISTRICT- MORIGAON
ASSAM
PIN CODE782127 DRIVER OF THE VEHICLE BEARING NO. AS 21/C-6465

Advocate for : Tridib Kalita
Advocate for : appearing for MRS TASLIMA KHATUN

Linked Case : C.APPLN/0/0

TATA AIG GENERAL INSURANCE COMPANY LIMITED
HAVING ITS REGISTERED AND CORPORATE OFFICE AT 15TH FLOOR
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2:MISS ISHTIKHARA KHATUN
AGED ABOUT 15 YEARS
DAUGHTER OF LATE ISMAIL ALI RESIDENTS OF- VILLAGEKOPOUJARI
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PIN CODE782127 DRIVER OF THE VEHICLE BEARING NO. AS 21/C-6465

Advocate for : Tridib Kalita
Advocate for : appearing for MRS TASLIMA KHATUN

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

Date : 30.03.2026

1. Heard Mr. T. Kalita, the learned counsel for the applicant. Also heard Mr. M. Talukdar, the learned counsel for the opposite party Nos. 1 to 5/claimant.
2. The learned counsel for the opposite parties/claimant submits that he does not have any objection if the delay in preferring the connected appeal is condoned in this Interlocutory Application.
3. Considering the submissions made by the learned counsel for the opposite party/claimant as well as considering the fact that the main grievance in the connected appeal is regarding the quantum of compensation paid to the claimants, the notice to the respondent Nos. 6 and 7 is hereby waived.
4. I have considered the submissions made by the learned counsel

for both sides and have gone through the reasons stated in Paragraph Nos. 4 to 10 of the instant Interlocutor Application for delay in preferring the connected appeal by the present applicant.

5. Considering the aforesaid reason to be sufficient cause which prevented the application in preferring the connected appeal within the prescribed limitation, the delay of 168 days in preferring the connected MAC Appeal is hereby condoned and this Interlocutory Application is allowed.
6. The Registry is directed to register the connected MAC appeal and list the same for admission after a week on a date to be fixed by it.
7. The name of Mr. M. Talukdar, may be reflected in the cause list as the engaged counsel for the claimant/respondent, henceforth.

JUDGE

Comparing Assistant