



GAHC010031772018



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

Case No. : I.A.(Civil) 481/2018

1:NATIONAL INSURANCE COMPANY LIMITED
HAVING ITS REGD. OFFICE AT KOLKATA AND ONE OF THE REGIONAL
OFFICE AT G.S. ROAD, GUWAHATI.

VERSUS

1:SMT RANJU DEVI and 4 ORS
R/O VILL. POLIA, P.O. BARDEGHALI, P.S. AND DIST. NALBARI, ASSAM.

2:DIKSHITA SARMA
R/O VILL. POLIA
P.O. BARDEGHALI
P.S. AND DIST. NALBARI
ASSAM.

3:MASTER HRITUPAN SARMA
RESPONDENT NOS. 2 AND 3 MINORS BEING REPRESENTED BY THEIR
MOTHER CUM NATURAL GUARDIAN
RESPONDENT NO. 1
SMT. RANJUDEV
NOS. 1 TO 3 ARE R/O VILL. POILA
P.O. BARDEGHALI
P.S. AND DIST. NALBARI
ASSAM.

4:M/S GANESH GAS AGENCY
REPRESENTED BY ITS PROPRIETOR SRI PANKAJ KR. BEZBARUAH
P.O. AND P.S. TIHU
DIST. NALBARI
ASSAM
PIN



5:ANIL BORO
R/O RAILWAY COLONY
WARD NO. 2
P.O. AND P.S. TIHU
DIST. NALBARI
ASSAM
PI

Advocate for the Petitioner : MR S S SHARMA

Advocate for the Respondent : MR. M J BARUAH (R4)

**BEFORE
HONOURABLE MR. JUSTICE NANI TAGIA**

ORDER

Date : 24-04-2019

Heard Mr. B. J. Mukherjee, learned counsel for the applicant and Mr. M. J. Baruah, learned counsel for the respondent No.4.

None appears for the respondent No.5, although notice has been duly served as indicated by the Office Note dated 05.04.2019.

This is an application under Section 5 of the Limitation Act, 1963 read with proviso to Section (1) of the Motor Vehicle Act, 1988 for condonation of delay of 178 days in preferring the connected MAC Appeal.

Having heard the learned counsels for the parties and also on perusal of the explanations provided in the present application explaining the delay caused in paragraph-4, I am satisfied that the applicant was prevented by sufficient cause in not preferring the connected appeal within stipulated period.

Accordingly, delay of 178 days in preferring the connected appeal is hereby condoned.

JUDGE

Comparing Assistant