

GAHC010040152025



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

Case No. : CO/2/2025

SRI ANIL CH DAS
S/O LATE SOBHARAM DAS,
RESIDENT OF VILLAGE KUMARIGAON (SALKOCHA) PS CHAPARA DIST
DHUBRI, ASSAM 783348

2: SMT RAJMATI DAS
W/O ANIL CH. DAS

RESIDENT OF VILLAGE KUMARIGAON (SALKOCHA) PS CHAPARA DIST
DHUBRI
ASSAM 78334

VERSUS

NATIONAL INSURANCE CO LTD AND ANR
REP. BY THE REGIONAL MANAGER, G.S ROAD, BHANGAGARH,
GUWAHATI 781005, DIST KAMRUP M ASSAM

2:M/S H.B ENTERPRISES
PROP. MR. MUKUL HAZARIKA

JANAPATH BYE LANE
LACHIT NAGAR
PO GUWAHATI 781007 ASSA

Advocate for the Petitioner : MR. A R AGARWALA,

Advocate for the Respondent : MISS S ROY,

**BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN**

ORDER

09.01.2026

Heard Mr. A.R. Agarwala, learned counsel for the cross-objector and Ms. S. Roy, learned counsel for the respondents.

Ms. Roy submits that this cross-objection is barred by limitation as the appeal was filed in the year 2011 and cross-objection was filed only in the year 2025.

On the other hand, Mr. Agarwala submits that the appeal was earlier dismissed in the year 2018 for default, but the same was restored to file on 12.02.2025 and that the cross-objection was filed within a period of one month from restoration of the appeal.

However, Ms. Roy submits that this cross-objection may be heard together along with the MFA.

Accordingly, taking note of the submissions of learned counsel for both the parties, it is provided that the registry shall list this cross-objection along with the MFA on 19.02.2026.

The issue raised by Ms. Roy regarding maintainability of the cross-objection on the ground of limitation will be considered at the time of hearing of the MFA.

JUDGE

Comparing Assistant