

GAHC010092742019



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

Case No. : I.A.(Civil)/1479/2019

UNITED INDIA INSURANCE COMPANY LTD.,
HAVING ITS REGISTERED OFFICE AND HEAD OFFICE AT 24 WHITES
ROAD, CHENNAI AND ITS REGIONAL OFFICE AT G.S. ROAD, DISPUR,
GUWAHATI.

VERSUS

BHULU KR. DAS AND 4 ORS.
S/O- SRI BHARAT CH. DAS,
VILL.- BILORTARI, P.S. BARPETA, DIST.- BARPETA, ASSAM, PIN- 781319.

2:RUBUL GOGOI
S/O- LATE BANSIDHAR GOGOI
VILL.- BOLOMA
P.S. TEOK
DIST.- JORHAT
ASSAM
PIN- 785112.. (DRIVER OF VEHICLE NO. AS-15-E-3618).

3:MAINAK BHOWAL
S/O- LATE MANASH KAMAL BHOWAL
GAR ALI
BACKSIDE OF SINGH BROTHERS
P.S. AND DIST.- JORHAT
ASSAM. (OWNER OF VEHICLE NO. AS-01-H-5336 (TRUCK)).

4:HITESH BASUMATARY
S/O- LATE UDAY BASUMATARY
WARD NO. 13
SRIMANTAPUR
P.O. AND DIST.- BARPETA
ASSAM
PIN- 781301. (OWNER OF VEHICLE NO. AS-15-E-3618 (SCORPIO)).

5:NEW INDIA ASSURANCE CO. LTD.
REP. BY ITS CHIEF REGIONAL MANAGER
REGIONAL OFFICE
G.S. ROAD
CHRISTANBASTI
GUWAHATI- 781005
DIST.- KAMRUP(M)
ASSAM

Advocate for the Petitioner : MR. R GOSWAMI

Advocate for the Respondent : MR. K R BORA

Linked Case :

UNITED INDIA INSURANCE COMPANY LTD

VERSUS

BHULU KR. DAS AND 4 ORS

Advocate for :
Advocate for : appearing for BHULU KR. DAS AND 4 ORS

**BEFORE
HONOURABLE THE CHIEF JUSTICE**

ORDER

Date : 23-08-2022

Heard Mr. R. Goswami, learned counsel appearing for the applicant/appellant.

By this application under Section 5 of the Limitation Act, 1963, the applicant/appellant has prayed for condonation of delay of 204 days in preferring the connected appeal.

The present appeal is filed by the Insurance Company mainly against the

respondent no. 1/claimant and record indicates that respondent no. 1 is served and, therefore, presence of other respondents is not necessary for deciding the present application for condonation of delay.

Considering the averments made in the application, more particularly in Paragraph 2 of this application, I am of the view that the applicant/appellant has been able to establish sufficient cause for condonation of delay.

In the light of the aforesaid, delay of 204 days occurred in filing the connected appeal is required to be condoned and the same is hereby condoned.

Interlocutory application is allowed.

Registry to register and number the connected appeal and list the same for admission hearing on 26.08.2022 before the regular Bench.

CHIEF JUSTICE

Comparing Assistant