

GAHC010089552025



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

Case No. : I.A.(Civil)/1507/2025

ANOWAR HUSSAIN
S/O LATE BHOLA AHMED, R/O VILL PANIAKHAT, P.O. AND P.S. DHULA,
DIST. DARRANG, ASSAM, PIN 784146

VERSUS

THE DIVISIONAL MANAGER AND 2 ORS
UNITED INDIA INSURANCE CO. LTD., TEZPUR DIVISION, P.O. AND P.S.
TEZPUR, DIST. SONITPUR, ASSAM, INSURER OF THE VEHICLE NO AS-01-T-
7173 (ALTO), PIN 784001

2:SANJIB KUMAR GOGOI

S/O KRISHNA KANTA NATH
R/O VILL. MAZGAON
NORTH GUWAHATI
P.S. NORTH GUWAHATI
DIST. KAMRUP (R)
ASSAM.

3:MD. SAIDUR RAHMAN

S/O LT. MAHIRUDDIN
R/O VILL. DOWAPARA
P.O. AND P.S. KHARUPETIA
DIST. DARRANG
ASSAM

Advocate for the Petitioner : MR. S A AHMED, MS. K DAS,A. KHANAM,MR. F A
AHMED,MR. M ALI

Advocate for the Respondent : MR. R C PAUL(R1),

**BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA**

ORDER

Date : 27.02.2026

- 1.** Heard Mr. S. A. Ahmed, learned counsel for the appellant. Also heard Mr. R. C. Paul, learned counsel for the respondent No. 1/Insurance Company.
- 2.** Considering the fact that the connected appeal is filed by the applicant for enhancement of the compensation awarded to him, the notice to other two respondents is waived.
- 3.** This application under Section 5 of the Limitation Act has been filed by the applicant/claimant, namely, *Anowar Hussain* for condoning the delay of 190 days in preferring the connected MAC appeal whereby the applicant has impugned the judgment and order dated 11.07.2024 passed by the learned Member, Motor Accident Claims Tribunal, Darrang in MAC Case No. 54/2018.
- 4.** The learned counsel for the applicant has explained the cause of the delay in paragraph No. 5 of the instant interlocutory application. He has mainly contended that due to the difficulty in movement faced by the applicant due to the injury sustained by him in the accident, he could not prefer the connected appeal within the prescribed period of limitation.
- 5.** Mr. R. C. Paul, learned counsel for the Insurance Company considering the grounds stated in the application by the applicant for the delay, does not raise any objection against the prayer for condoning the said delay.
- 6.** I have considered the submissions made by the learned counsel for both sides and have gone through the materials on record.
- 7.** Considering the submissions made by the learned counsel for the parties as well as the grounds stated in paragraph No. 5 of the instant interlocutory

application to be sufficient cause which prevented the applicant in approaching this Court for filing the connected appeal within the prescribed period of limitation, the delay of 190 days in preferring the connected MAC appeal is hereby condoned and this interlocutory application is disposed of.

8. The Registry is directed to register the connected MAC appeal and list this same for admissions after a week on a date to be fixed by it.

9. The name of Mr. R. C. Paul may be shown as engaged counsel for the Insurance Company in the cause-list when the connected appeal would be listed.

10. This interlocutory application is accordingly disposed of.

JUDGE

Comparing Assistant