

GAHC010038362026



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

Case No. : I.A.(Civil)/2381/2024

MONJULA KACHARI
W/O PUTUL KACHARI

VILL.- ROWDUAR POTHAR GAON
P.O.- NUMALIGARH
P.S.- BOKAKHAT
DIST.- GOLAGHAT
ASSAM
PIN- 785615.

VERSUS

NEW INDIA ASSURANCE COMPANY LTD AND 3 ORS
(A CENTRAL GOVT. UNDERTAKING) HAVING ITS REGIONAL OFFICE AT
GUWAHATI
G.S. ROAD
ULUBARI
GUWAHATI- 781007
REP. BY THE REGIONAL MANAGER
GAUHATI REGIONAL OFFICE
ULUBARI
GUWAHATI- 781007.

2:RAJA KALITA
S/O RAMEN KALITA

VILL.- HALMIRA DHANSIRIPAR GAON
P.O. AND P.S.- GOLAGHAT
DIST.- GOLAGHAT
ASSAM
PIN- 785702.

3:SURENDRA KAMP

S/O ANIL KAMP

R/O BOKAKHAT TOWN
P.O. AND P.S.- BOKAKHAT
DIST.- GOLAGHAT
ASSAM
PIN- 785612.

4:THE MANAGER
UNITED INDIA INSURANCE CO. LTD.
GOLAGHAT BRANCH
THANA CHARIALI
DIST.- GOLAGHAT
ASSAM
PIN- 785621.

Advocate for : MR. M DUTTA
Advocate for : appearing for NEW INDIA ASSURANCE COMPANY LTD AND 3
ORS

Linked Case : MACApp./85/2024

NEW INDIA ASSURANCE COMPANY LIMITED
(A CENTRAL GOVT. UNDERTAKING) HAVING ITS REGIONAL OFFICE AT
GUWAHATI
STARCITY COMPLEX
G.S. ROAD
LACHITNAGAR
GUWAHATI- 781007
REP. BY THE MANAGER
GAUHATI REGIONAL OFFICE
LACHITNAGAR
GUWAHATI- 781007.

VERSUS

MONJULA KACHARI AND ORS. E
W/O PUTUL KACHARI
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THANA CHARIALI
DIST.- GOLAGHAT
ASSAM
PIN- 785621.

Advocate for : MS. R D MOZUMDAR
Advocate for : MR. M DUTTA (R-1) appearing for MONJULA KACHARI AND ORS.
E

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

Date : 02.04.2026

1. Heard Ms. R. D. Mozumdar, the learned counsel for the applicant. Also heard Mr. M. Dutta, the learned counsel for the opposite party.
2. This Interlocutory Application under Section 5 of the Limitation Act, 1963 has been filed by the applicant/claimant, namely, Monjula Kachari, praying for condoning the delay of 5 days

in preferring the connected Cross Objection in MAC Appeal No. 85/2024 filed by the respondent No. 1/New Indian Insurance Company Limited.

3. The learned counsel for the respondent No.1 Ms. R. D. Mozumdar, considering the short period of delay raises no objection for the same.

4. Considering, the ground stated in the instant Interlocutory Application, this Court is of the opinion that the applicant was prevented by sufficient cause in approaching this Court in filing the cross objection within the prescribed period of limitation.

5. Accordingly, the delay of 5 days in filing the connected cross objection in the MAC Appeal No. 85/2024 is hereby condoned and this Interlocutory Application, is allowed.

6. The Registry to register the cross objection and place the same along with MAC Appeal No. 85/2024 on 16.07.2026.

JUDGE

Comparing Assistant