

GAHC010117232022



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

Case No. : I.A.(Civil)/1997/2022

NANDALAL CHOWHAN @ CHOUHAN
S/O HIRALAL CHOWHAN
RESIDENT OF VILLAGE BHERGAON, PO AND PS DHEKIAJULI, DIST
SONITPUR, ASSAM

VERSUS

M/S UNITED INDIA INSURANCE CO. LTD. AND ANR.
HAVING ITS REGISTERED OFFICE AT 24 WHITES ROAD, CHENNAI 600014
WITH ONE OF ITS REGIONAL OFFICE AT GS ROAD, CHRISTIANBASTI,
GUWAHATI 781005, REPRESENTED BY ITS CHIEF REGIONAL MANAGER

2:MD. KASEM ALI
S/O RAJIB ALI
RESIDENT OF VILLAGE BISKHEETI GAON
PO AND PS DHEKIAJULI
DIST SONITPUR
ASSA

Advocate for the Petitioner : A G CHOUDHURY, MR N BARMAN

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

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

Date : 23.02.2026

1. Heard Mr. A. Iranglube, learned counsel for the applicant. Also heard Mr. R. C. Paul, learned counsel for the respondent No. 1.

2. This interlocutory application has been filed by the applicant/appellant under Section 5 of the Limitation Act read with proviso to Section 173(1) of the Motor Vehicles Act, 1988 praying for condoning the delay of four days in preferring the connected appeal whereby the judgment and award dated 08.12.2021 passed by the Motor Accident Claims Tribunal No. 3, Kamrup(M), Guwahati in MAC Case No. 86/2017 has been impugned.

3. The learned counsel for the Insurance Company/opposite party, considering the short period of four days delay only, does not raise any objection against this delay condonation application.

4. I have gone through the reasons cited by the learned counsel for the applicant in his delay condonation application.

5. Considering the reasons stated therein to be sufficient ground which prevented the applicant in approaching this Court within the prescribed period of limitation in filing the connected appeal, the delay of 4 days is hereby condoned and this interlocutory application is allowed.

6. The Registry is directed to register the connected MAC Appeal and list the same for admission after a week on a date to be fixed by it.

JUDGE

Comparing Assistant