

GAHC010118322026



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

Case No. : I.A.(Civil)/2298/2026

HDFC GENERAL INSURANCE CO. LTD.
HAVING ITS REGISTERED OFFICE AND HEAD OFFICE AT RAMON HOUSE,
H.T. PAREKH MARG, 169, BACKBAY RECLAMATION, MUMBAI- 400020 AND
ITS GUWAHATI BRANCH OFFICE AT ADITYAM BUILDING, 6TH FLOOR,
LACHIT NAGAR, G.S. ROAD, GUWAHATI, ASSAM- 781007.

VERSUS

ABDUL GAFUR SHEIKH AND ANR
S/O AJMOD SHEIKH, R/O VILL- KAIMARI PART-07, P.O.- KAIMARI, P.S.-
GOLAKGANJ DISTRICT- DHUBRI, ASSAM, PIN- 783335, P/R/A C/O MOMTAZ
BEGUM, SHARAIGHAT NAGAR, P.O. AND P.S.- JALUKBARI, DIST- KAMRUP
(M), ASSAM, PIN- 781013

2:KALYAN JYOTI HAZARIKA
S/O DIPU HAZARIKA
R/O VILL-BAICH GAON
P.O.- MOIDOMLA
P.S.- NORTH LAKHIMPUR
DIST- LAKHIMPUR
ASSAM, PIN- 787032

Advocate for the Petitioner : MR. R GOSWAMI, MS. P BORTHAKUR, MS. M SAIKIA
Advocate for the Respondent : MR. I HAQUE (FOR CAVEATOR),

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

Date : 17.07.2026

- 1.** Heard Ms. M. Saikia, learned counsel for the applicant. Also heard Mr. I. Haque, learned counsel for the Caveator/respondent Nos. 1, 2 and 3.

2. This application under Section 5 of the Limitation Act, has been filed by the applicant, namely, HDFC General Insurance Company Limited praying for condonation of delay of 4 days in preferring the connected MFA wherein the judgment and order dated 03.02.2026, passed by the learned Commissioner, Employees' Compensation, Kamrup, in E.C. Case No. 29/2019 has been impugned.

3. The learned counsel for the applicant has submitted that the cause for delay in preferring the connected appeal has been stated by the applicant in paragraph No. 2 of the instant interlocutory application and same may be regarded as sufficient cause and the prayer for condoning the delay may be allowed.

4. On the other hand, Mr. I. Haque, learned counsel for the Caveator/respondents has submitted that though the respondents are not inclined to file any written objection, however, they are objecting to the condonation of delay caused in filing connected MFA by the Insurance Company as delay has not been sufficiently explained by them.

5. I have considered the submissions made by the learned counsel for both sides and have gone through the reason shown in paragraph No. 2 of the instant interlocutory application for delay in preferring the connected MFA.

6. After going the reasons shown therein, this Court is of the considered opinion that same may be regarded as sufficient cause which prevented the applicant in preferring the connected appeal within the prescribed period of limitation. As such, the delay of four days in preferring the connected appeal is hereby condoned and this interlocutory application is allowed.

- 7.** The Registry is directed to register the connected MFA and list the same for admissions on 21st of August, 2026.
- 8.** The name of Mr. I. Haque, may be reflected in the cause-list as engaged counsel for the respondent Nos. 1, 2 and 3.
- 9.** This interlocutory application is accordingly disposed of.

JUDGE

Comparing Assistant