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

Case No. : I.A.(Civil)/2276/2026

NEW INDIA ASSURANCE CO. LTD.
HAVING ITS REGISTERED OFFICE AT 87, M.G. ROAD, FORT, MUMBAI-
400001 AND ONE OF THE NORTH EASTERN REGIONAL OFFICE AT LACHIT
NAGAR, G.S. ROAD, GUWAHATI, ASSAM- 781007

VERSUS

SMTI. RUSEN ARA BEGUM AND 5 ORS
W/O LATE NIZAMATDDIN AHMED, PRESENTLY R/O VILL.-
BORPUKHURIPAR, FOREST COMPLEX, SIVASAGAR TOWN, P.O. AND P.S.
AND DIST.- SIVASAGAR, ASSAM, PIN- 785640, P/R/O VILL- ARJUNGURI,
P.O.- ARJUNGURI, P.S. AND DIST- SIVASAGAR, ASSAM, PIN- 785697

2:MISS NAZLIN ARA BEGUM
D/O LATE NIZAMATDDIN AHMED AND SMTI RUSEN ARA BEGUM
PRESENTLY R/O VILL.- BORPUKHURIPAR
FOREST COMPLEX
SIVASAGAR TOWN
P.O. AND P.S. AND DIST.- SIVASAGAR
ASSAM
PIN- 785640
P/R/O VILL- ARJUNGURI
P.O.- ARJUNGURI
P.S. AND DIST- SIVASAGAR
ASSAM
PIN- 785697 (BEING MINOR
REPRESENTED BY RESPONDENT NO. 1)

3:RAM KUMAR R REEHAL
S/O RULIARAM REEHAL
R/O NEAR RAJKAPUR BUNGLOW
A/7 LARAPOSE APARTMENT
DEONAR FARM ROAD
T.F. DEONAR

S.O.T.F. DEONAR
MUMBAI
MAHARASHTRA- 400088
ALSO AT R/O CHANMARI
KOHIMA
DIST.- NAGALAND
PIN- 797001

4:ANIL KUMAR YADAV
S/O PHOOL CHAND YADAV
R/O VPO- KACHAGAON
NEWADA
P.S.- LINE BAZAR
NEWADA
DIST.- JAUNPUR
UTTAR PRADESH
PIN- 222002

5:SMTI JORINA BEGUM
W/O LATE JEHIROTDDIN AHMED
R/O ARJUNGURI GAON
P.O.- ARJUNGURI
P.S. AND DIST.- SIVASAGAR
ASSAM
PIN- 785697

6:THE STATE OF ASSAM
THE PRINCIPAL SECRETARY
ENVIRONMENT AND FOREST DEPARTMENT
DISPUR
GUWAHATI- 6
KAMRUP (M)
(NOTICE THOROUGH LEARNED GOVT. PLEADER
SIVASAGAR AND ALSO THROUGH DIVISIONAL FOREST OFFICER
SIVASAGAR)

Advocate for the Petitioner : MR. R K BHATRA, MS. R DAS,A BIYANI

Advocate for the Respondent : SC, FOREST, MS. A LALA(R1,2),MS N KASHYAP(R1,2),MRS R BEGUM(R1,2),MR P KATAKI, SR. ADV.(R1,2)

Linked Case : RP(FAM.CT.)/0/0

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VERSUS

SMTI RUSEN ARA BEGUM AND ORS
W/O LATE NIZAMATDDIN AHMED

Advocate for : Akanksha Biyani
Advocate for : appearing for SMTI RUSEN ARA BEGUM AND ORS

Linked Case : C.APPLN/0/0

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Advocate for : appearing for SMTI RUSEN ARA BEGUM AND ORS

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

14.09.2026

- 1.** Heard Mr. R. K. Bhatra, the learned counsel for the applicant. Also heard Ms. R. Begum, the learned counsel for opposite party Nos. 1 and 2/claimants.
- 2.** The office note dated 08.09.2026 shows that the notice issued to opposite party No.3 have been duly delivered on 31.07.2026. However, the notice issued to opposite party No. 5 could not be served as she has expired on 27.01.2024.
- 3.** The notice issued to opposite party No. 4 has returned without service.
- 4.** The learned counsel for opposite party Nos. 1 and 2/claimants has submitted that the said claimants do not have any objection if the delay of 22 days in preferring the connected MAC appeal is condoned.

- 5.** On the other hand, the learned counsel for the applicant has submitted that the applicant has explained the delay in preferring the connected appeal in paragraph Nos. 3 to 8 of the instant Interlocutory Application.
- 6.** Since the claimants have not opposed the prayer for condonation of delay, the notice to opposite party No. 4 in this Interlocutory Application is hereby waived.
- 7.** After considering the grounds stated by the applicant in the instant Interlocutory Application, this Court is of opinion that the delay of 22 days in preferring the connected MAC appeal has been sufficiently explained by the applicant.
- 8.** As such, the said delay is hereby condoned, and this Interlocutory Application is allowed.
- 9.** The Registry is directed to register the connected MAC appeal and list the same for admission hearing after a week on a date to be fixed by the Registry.

JUDGE

Comparing Assistant