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

Case No. : I.A.(Civil)/2277/2026

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

SMT. BORNALI DAS HAZARIKA AND 6 ORS
W/O LATE BIPUL HAZARIKA, R/O BEZ GAON, P.O.- NAKHANA, P.S.-
GAURISAGAR, DIST.- SIVASAGAR, ASSAM, PIN- 785664

2:PABITRA HAZARIKA
S/O LATE BIPUL HAZARIKA
R/O BEZ GAON
P.O.- NAKHANA
P.S.- GAURISAGAR
DIST.- SIVASAGAR
ASSAM
PIN- 785664

3:SMT. SUBHA LAKSHI HAZARIKA
D/O LATE BIPUL HAZARIKA
R/O BEZ GAON
P.O.- NAKHANA
P.S.- GAURISAGAR
DIST.- SIVASAGAR
ASSAM
PIN- 785664

4: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

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

6:THE STATE OF ASSAM
THE PRINCIPAL SECRETARY
ENVIRONMENT AND FOREST DEPARTMENT
DISPUR
GUWAHATI- 6
KAMRUP (M)

7:THE DIVISIONAL FOREST OFFICER
SIVASAGAR
OFFICE OF THE DIVISIONAL FOREST OFFICER
SIVASAGAR DISTRICT (T)
P.O. AND DIST.- SIVASAGAR
PIN- 785640
ASSAM

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

Advocate for the Respondent : SC, FOREST, MS. A LALA(R1,2,3),MS N KASHYAP(R1,2,3),MRS R BEGUM(R1,2,3),MR P KATAKI, SR. ADV.(R1,2,3)

Linked Case : C.APPLN/0/0

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OFFICE AT LACHIT NAGAR
G.S. ROAD
GUWAHATI
ASSAM 781007

VERSUS

SMT BORNALI DAS HAZARIKA AND ORS
W/O LATE BIPUL HAZARIKA

Advocate for : Akanksha Biyani
Advocate for : appearing for SMT BORNALI DAS HAZARIKA AND ORS

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

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Advocate for : appearing for SMT BORNALI DAS HAZARIKA 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, 2 and 3.
- 2.** On perusal of the office note dated 08.09.2026, it appears that the notice issued to opposite party No. 7 has been duly served.
- 3.** It appear that the notices, which were issued to opposite party Nos. 4 and 5 could not be served through speed post.
- 4.** This Interlocutory Application has been filed by the applicant Insurance Company praying for condonation of delay of 22 days in preferring the connected MAC appeal.
- 5.** It is submitted by learned counsel for the applicant that the cause of delay has been stated by the present applicant in paragraph Nos. 3 to 8 of the instant Interlocutory Application.

- 6.** Ms. R. Begum, the learned counsel for the opposite party No. 1, 2, and 3/claimants has submitted that the claimants do not have any objection if the delay is condoned.
- 7.** As the claimants are not opposing to the condonation of delay, hence, the notice to opposite party Nos. 4 and 5 is hereby waived.
- 8.** It appears on perusal of the grounds stated in the instant Interlocutory Application that the applicant was prevented by sufficient cause in preferring the connected MAC appeal within the prescribed period of limitation.
- 9.** As such, the delay of 22 days in preferring the connected appeal is hereby condoned, and this Interlocutory Application is allowed.
- 10.** 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