

GAHC010150532025



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

Case No. : CRP(IO)/258/2025

ICICI LOMBARD GENERAL INSURANCE COMPANY LIMITED
HAVING ITS REGISTERED OFFICE AT SHRI SIDDHI VINAYAK GANAPATI
MANDIR, ICICI LOMBARD HOUSE, 414, P. BALU MARG, SVS ROAD,
PRABHADEVI, MUMBAI-400025, ITS ZONAL OFFICE AT 7TH FLOOR,
APEEJAY HOUSE, 15, PARK STREET, KOLKATA-700016 AND ITS BRANCH
OFFICE AT 3RD FLOOR, KAMAKHYA TOWER, G.S. ROAD, CHRISTIAN
BASTI, GUWAHATI-781005, REPRESENTED BY THE LEGAL MANAGER

VERSUS

ARIFUL HUSSAIN AND 3 ORS
S/O SAIDUL ISLAM, R/O TUBUKI GRANT, P.S.- KAMPUR, DIST- NAGAON,
ASSAM, PIN-782137

2:KHALILUDDIN ANCHARY
S/O ABDUL MANNAF
R/O ROWMARI
P.S.- BATADRAVA
DIST- NAGAON
ASSAM
PIN-782125

3:AMIR HUSSAIN
S/O SAIDUL ISLAM
R/O TUBUKI GRANT
P.S.- KAMPUR
DIST- NAGAON
ASSAM
PIN-782137

4:NEW INDIA ASSURANCE COMPANY LIMITED
REPRESENTED BY ITS BRANCH MANAGER

NAGAON BRANCH
NAGAON
ASSAM
PIN-78200

Advocate for the Petitioner : MR T KALITA, MR. A KAKATI

Advocate for the Respondent : ,

**BEFORE
HON'BLE MR. JUSTICE ROBIN PHUKAN
ORDER**

19.07.2025

Heard Mr. T. Kalita, learned counsel for the petitioner.

In this petition under Article 227 of the Constitution of India, the petitioner has challenged the order dated 19.03.2025 passed by the learned Member, Motor Accident Claims Tribunal, Nagaon, in Misc. Case No.64/2023.

Mr. Kalita, learned counsel for the petitioner submits that the respondents herein instituted the MAC Case No.156/2025 before the Court of learned Member, MACT, Nagaon and there was delay of 191 days and on being preferred an application under Section 5 of the Limitation Act for condonation of the aforementioned day in filing the claim petition, the learned Member vide impugned order dated 19.03.2025 has allowed the petition by condoning the delay of 191 days.

Perused the petition and the documents placed on record.

Let notice be issued to the respondents, returnable within 4(four) weeks.

Step be taken by registered post with A/D and also by usual process within a week from today.

List the matter after 4(four) weeks.

Till returnable date, considering the submission of Mr. Kalita, learned counsel for the petitioner, further proceeding of the MAC Case No.156/2025 pending before the Court of learned Member, Motor Accident Claims Tribunal, Nagaon, stands stayed.

Sd/- *Robin Phukan*
JUDGE

Comparing Assistant