

GAHC010167052025



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

Case No. : I.A.(Civil)/2639/2025

ORIENTAL INSURANCE COMPANY LIMITED
A COMPANY UNDER THE COMPANIES ACT, 1956, HAVING ITS
REGISTERED OFFICE AT ORIENTAL HOUSE, A-25/27 ASAF ALI ROAD, NEW
DELHI 2, REGIONAL OFFICE AT G.S ROAD, ULUBARI, GUWAHATI 7,
REPRESENTED BY ITS REGIONAL MANAGER

VERSUS

NURUL ISLAM AND 2 ORS.
S/O. ROJAB ALI, RESIDENT OF VILLAGE CHALA SHERSOW, PO.
BORKOLITA SHERSOW, PS. FAKIRGANJ, DIST. DHUBRI, ASSAM, PIN-783330

2:ASHIYA KHATUN
S/O. SIRAJ ALI
RESIDENT OF VILLAGE - C/O. BABU KUMAR DAS
SARUMOTORIA
DILIP HAJARI PATH
PO. DISPUR
GUWAHATI-6
PS. BHANGAGARH
DIST. KAMRUP M
ASSAM
PIN 781006

3:JOHURUL ISLAM
S/O. GOFUR ALI
RESIDENT OF VILLAGE FAKIRGANJ
P/O. AND P/S. FAKIRGANJ
DISTRICT- DHUBRI
ASSAM
PIN-78333

Advocate for the Petitioner : MR. R C PAUL,

Advocate for the Respondent : FOR CAVEATOR, MR ADITYA AGARWALA,MR. A R AGARWALA

Linked Case : C.APPLN/0/0

ORIENTAL INSURANCE COMPANY LIMITED
REGISTERED OFFICE AT ORIENTAL HOUSE
A 25/27 ASAF ALI ROAD
NEW DELHI 2
REGIONAL OFFICE AT GS ROAD
ULUBARI
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REPRESENTED BY ITS REGIONAL MANAGER

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NURUL ISLAM
RESIDENT OF VILLAGE CHALA SHERSOW
PS FAKIRGANJ
DIST DHUBRI
ASSAM
PIN 783330

2:MOSSTT ASHIYA KHATUN
RESIDENT OF VILLAGE SARUMOTORIA
DILIP HAJARI PATH
PO DISPUR
GUWAHATI 6
PS BHANGAGARH
DIST KAMRUP M
ASSAM
PIN 781006

3:GOFUR ALI
RESIDENT OF VILLAGE FAKIRGANJ
PO AND PS FAKIRGANJ
DIST DHUBRI
ASSAM
PIN 783330

Advocate for : MR RABINDRA CHANDRA PAUL
Advocate for : appearing for NURUL ISLAM

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

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Advocate for : MR RABINDRA CHANDRA PAUL
Advocate for : appearing for NURUL ISLAM

BEFORE
HONOURABLE MRS. JUSTICE YARENJUNGLA LONGKUMER

ORDER

Date : 13.08.2025

1. This application under Section 5 of the Limitation Act, 1963, read with Section 173(1) of the Motor Vehicle Act, 1988 has been filed by the applicant/

appellant praying for condoning the delay of 64 days in preferring the connected appeal against the impugned judgment and award dated 18.02.2025, passed by the learned Member, Motor Accident Claims Tribunal, Dhubri in MAC Case No. 11 of 2015.

2. Heard Mr. R.C. Paul, learned counsel for the applicant/ appellant and Mr. A.R. Agarwalla, learned counsel for the claimant /respondent No. 1.

3. The learned counsel for the applicant/ appellant has set out the reasons for delay in paragraph Nos. 5, 6, 7, 8, 9 and 10 of the delay petition. However, learned counsel for the claimant/ respondent No. 1 has submitted that he has no objection to condone the delay and the matter may be heard on merits.

4. In view of the above, the delay of 64 days is hereby condoned. The interlocutory application stands allowed.

5. The Registry is directed to register the main appeal and list it for admission in the usual course.

6. The name of Mr. A.R. Agarwalla, learned counsel for the claimant/ respondent No. 1 be reflected in the cause list.

7. The I.A. stands disposed of.

JUDGE

Comparing Assistant