

GAHC010179252020



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

Case No. : I.A.(Civil)/2158/2020

THE NATIONAL INSURANCE COMPANY LTD.
REGISTERED HEAD OFFICE AT 3, MIDDLETON STREET, CALCUTTA-
700071, REP. BY THE MANAGER, GAUHATI REGIONAL OFFICE,
BHANGAGARH, GUWAHATI, KAMRUP(M), ASSAM, PIN- 781005.

VERSUS

MD. ABDUL MALEK AND ANR.
S/O- MD. SAMIR ALI, R/O- VILL.- PANCHMILE TENGABASTI, P.O.
PANCHMILE, P.S. TEZPUR, DIST.- SONITPUR, ASSAM, PIN- 784025.

2:MRS. ANUWARA JAHAN
W/O- AYUB ALI
R/O- VILL.- URIAMGURI
P.O. PANCHMILE
P.S. BORGHAT
DIST.- SONITPUR
ASSAM
PIN- 784025

Advocate for the Petitioner : MS. R D MOZUMDAR

Advocate for the Respondent : MR. K BHATTACHARJEE (R1)

Linked Case :

THE NATIONAL INSURANCE COMPANY LTD.

VERSUS

MD. ABDUL MALEK AND ANR. B

Advocate for : MS. R D MOZUMDAR
Advocate for : appearing for MD. ABDUL MALEK AND ANR. B

BEFORE
HONOURABLE MR. JUSTICE HITESH KUMAR SARMA

ORDER

30.03.2022

The applicant is represented by the learned counsel Ms. RD. The respondent No.1 is represented by the learned counsel Ms. B Talukdar.

As per the Office note dated 24.03.2022 notice upon the respondent No.2 has been duly served. That being so, service is complete. However, none appears for the respondent No.2.

This is an application for condonation of delay of 321 days in preferring the connected appeal against the judgment and award dated 27.02.2019 passed by the learned Commissioner, Employees Compensation, Sonitpur, Tezpur in W.C. Case No.32/2012.

The learned counsel for the respondent No.1 submits that she has no objection to the prayer for condonation of delay.

I have considered the application and the grounds shown therein. It appears that the applicant was prevented by sufficient cause for filing the connected

appeal within the stipulated time.

That being so, the delay of 321 days in preferring the connected appeal stands condoned.

Registry to register the connected appeal and list the matter for admission.

Appellant/applicant shall serve copies of the appeal memo to the learned counsel for the respondent No.1.

In terms of the above, the interlocutory application stands disposed of.

JUDGE

Comparing Assistant