

GAHC010277432019



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

Case No. : I.A.(Civil)/3634/2019

NEW INDIA ASSURANCE COMPANY LTD
HAVING ITS NORTH EASTERN REGIONAL OFFICE AT G.S. ROAD,
GUWAHATI-781005, KAMRUP (M), ASSAM, REP. BY THE MANAGER

VERSUS

SMT KANAKLATA JAIN AND 5 ORS
SMT. KANAKLATA JAIN, W/O SHRI PAWAN KUMAR JAIN, R/O COLE ROAD,
NEW MARKET, P.O. AND P.S. DIBRUGARH TOWN, DISTRICT DIBRUGARH,
ASSAM, PIN 786001.

2:FOMRA BULK CARRIERS
(OWNER)
PROPRIETOR
SRI VIJAY FORMA
57
BURTALLA STREET
KOLKATA
WEST BENGAL
PIN 700007

3:THE DIVISIONAL MANAGER
THE NATIONAL INSURANCE CO. LTD.
DIVISIONAL OFFICE NO. XIX
64
SAMBHU CHATTERJEE STREET
KOLKATA
WEST BENGAL
PIN 700007

4:SRI BRIJESH YADAV
S/O SRI RAJENDRA YADAV
PICNIC GARDEN ROAD
KOLKATA

WEST BENGAL
PIN 700039

5:SRI PAWAN KR. JAIN
S/O LATE C.L. JAIN (SARAWGI)
C/O C.L. SARAWGI AND CO.
COLE ROAD
NEW MARKET
DISTRICT DIBRUGARH
ASSAM
PIN 786001

6:THE DIVISIONAL MANAGER
NATIONAL INSURANCE CO. LTD.
DIVISIONAL OFFICE
KHEMKA BUILDING
R.K. BORDOLOI PATH
DISTRICT DIBRUGARH
ASSAM
PIN 78600

Advocate for the Petitioner : MS. R D MOZUMDAR
Advocate for the Respondent : MR. A J SAIKIA

Linked Case :

NEW INDIA ASSURANCE COMPANY LTD

VERSUS

SMT KANAKLATA JAIN AND 5 ORS

Advocate for :

Advocate for : appearing for SMT KANAKLATA JAIN AND 5 ORS

Linked Case :

NEW INDIA ASSURANCE COMPANY LTD

VERSUS

SMT KANAKLATA JAIN AND 5 ORS

Advocate for :
Advocate for : appearing for SMT KANAKLATA JAIN AND 5 ORS

**BEFORE
HONOURABLE THE CHIEF JUSTICE**

ORDER

Date : 03-08-2022

Heard Ms. R. D. Mazumdar, learned counsel for the applicant/appellant. Also heard Mr. K. Agarwal, learned senior counsel, appearing for respondent no. 1 and Mr. G.S. Boro, learned counsel appearing for respondent nos. 3 and 6.

By this application under Section 5 of the Limitation Act, 1963, the applicant/appellant has prayed for condonation of delay of 78 days in preferring the connected appeal.

Considering the averments made in the application, more particularly in Paragraphs 3 to 9 of this application, I am of the view that the applicant/appellant has been able to establish sufficient cause for condonation of delay.

In the light of the aforesaid, delay of 78 days occurred in filing the connected appeal is required to be condoned and the same is hereby condoned.

Interlocutory application is allowed.

Registry to register and number the connected appeal and list the same for admission hearing on *11.08.2022* before the regular Bench.

CHIEF JUSTICE

Comparing Assistant