

GAHC010191142023



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

Case No. : I.A.(Civil)/2830/2023

SMT MONALISA KALITA AND 3 ORS
WIDOW OF LATE PULIN KALITA
R/O VILL. BAREGHAR SATRA
P.O. AND P.S. NAZIRA
DIST. SIVASAGAR
ASSAM.

2: SRI DHIRENDRA NATH KALITA @ DHIREN CH. KALITA

FATHER OF LATE PULIN KALITA
R/O VILL. BAREGHAR SATRA
P.O. AND P.S. NAZIRA
DIST. SIVASAGAR
ASSAM.

3: MISS ANGANA KALITA

D/O LATE PULIN KALITA
R/O VILL. BAREGHAR SATRA
P.O. AND P.S. NAZIRA
DIST. SIVASAGAR
ASSAM.

4: SRI NILUTPAL KALITA

S/O LATE PULINKALITA
R/O VILL. BAREGHAR SATRA
P.O. AND P.S. NAZIRA
DIST. SIVASAGAR

ASSAM. APPELLANT NO. 2 IS AN OLD AGED PERSON
APPELLANT NO. 3 AND 4 ARE MINOR ARE REPRESENTED BY APPELLANT
NO. 1
VERSUS

M/S B.L. AGARWALA AND 2 ORS
VILL. GOR ALI
JORHAT
P.O. AND P.S. JORHAT
DIST. JORHAT
ASSAM
PIN 785001 (OWNER OF THE VEHICLE NO. AS-03/AC-0981 TRUCK DUMPER)

2:SRI JAWAHIR RAWAT
VILL. BIHUBOR
P.O. AND P.S. BIHUBOR
DIST. SIVASAGAR
ASSAM
PIN 785687 (DRIVER OF THE VEHICLE NO. AS-03/AC-0981 TRUCK DUMPER)

3:THE BRANCH MANAGER
THE UNITED INDIA INSURANCE CO. LTD.
JORHAT BRANCH
ASSAM
HAVING ITS REGIONAL OFFICE AT G.S. ROAD BHANGAGARH
GUWAHATI 781005 REPRESENTED BY ITS CHIEF REGIONAL MANAGER

Advocate for : MR. R P ROY
Advocate for : appearing for M/S B.L. AGARWALA AND 2 ORS

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

ORDER

18.06.2025

Heard Mr. R.S. Chauhan, learned counsel for the applicants.

This interlocutory application under Order 41 Rule 3(A) of the CPC read with Section 5 of the Limitation Act is preferred for condonation of delay of 61 days in filing MC No.73/2023 for restoration of I.A.(Civil) No.3574/2018 in MAC App. No.886/2018.

Issue notice, returnable within 4(four) weeks.

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

from today.

Additionally, *dasti* service is also permitted.

List the matter after 4(four) weeks.

Sd/- Robin Phukan
JUDGE

Comparing Assistant