

GAHC010214942025



2026:GAU-AS:393

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

Case No. : I.A.(Civil)/4117/2025
in
MAC APP No. 12311/2025
Filing Number

CHOLAMANDALM MS GENERAL INSURANCE CO. LTD.
HAVING ITS REGISTERED OFFICE AND HEAD OFFICE AT SHAW WALLACE
BUILDING NEW NO. 319, OLD N. 154, 2ND FLOOR, THAMBU CHETRY,
CHENNAI, PIN 600001, INDIA, ITS ZONAL OFFICE AT OFFICE NO. 201 AND
202 L AND T CHAMBERS, 2ND FLOOR, 16 CAMAC STREET, KOLKATA
700017 AND ITS GUWAHATI REGIONAL OFFICE AT 4TH FLOOR, AASTHA
PLAZA, BORA SERVICE, G.S. ROAD, GUWAHATI, KAMRUP (M), ASSAM
781007 REPRESENTED BY THE DEPUTY MANAGER LEGAL CLAIMS OF
GUWAHATI REGIONAL OFFICE.

VERSUS

SMTI PONALI NARAH ALIAS SONALI NARAH AND 4 ORS
S/O SRI DIPAK NARAH

2:SRI DIPAK NARAH
SON OF LATE KAMAL NARAH

3:MISS BIJOYA NARAH
DAUGHTER OF SRI DIPAK NARAH
ALL ARE PERMANENT R/O VILL. PUTHIBIL
P.S. NORTH LAKHIMPUR
DIST. LAKHIMPUR
PIN 787001
ASSAM.

4:SRI RAJA MILI
SON OF BITAL MILI
RESIDENT OF AHOMONI

POLICE STATION -NORTH LAKHIMPUR
DISTRICT LAKHIMPUR
PIN CODE- 787052. ASSAM. (OWNER OF VEHICLE AS-07-AC-4200
TRACTOR)

4:RAJA MILI
S/O BITAL MILI
R/O AHOMONI
P.S. NORTH LAKHIMPUR
DIST. LAKHIMPUR
PIN 787052
ASSAM.

5:SRI BANAMALI DAS
SON OF BIPUL DAS
RESIDENT OF- CHECKBANDH
POLICE STATION- NORTH LAKHIMPUR
DISTRICT- LAKHIMPUR
PIN CODE- 787001. ASSAM. (DRIVER OF VEHICLE AS-07-AC-4200
TRACTOR)

5:BANAMALI DAS

S/O BIPUAL DAS
R/O CHACKBANDHI
P.S. NORTH LAKHIMPUR
DIST. LAKHIMPUR
PIN 787001
ASSAM

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

Advocate for the Respondent : ,

BEFORE
HON'BLE MRS. JUSTICE MITALI THAKURIA

ORDER

09-01-2026

Heard Mr. A. Kakati, learned counsel for the applicant/appellant and Mr. D. Mondal, learned counsel appearing on behalf of the respondent Nos. 1, 2 and 3/claimants.

2. This is an application filed under Section 5 of the Limitation Act, 1963 praying for condonation of delay of 31 days in filing the connected appeal against the impugned judgment and award dated 03.05.2025, passed by the learned Member, MACT No. 2, Kamrup (M) at Guwahati in MAC Case No. 565/2018.

3. It is submitted by Mr. Kakati, learned counsel that for observing the official formalities there was a delay of 31 days in preferring the appeal. However, there is no laches or negligence on the part of the applicant/appellant in preferring the appeal with a delay of 31 days.

4. Mr. Mondal, learned counsel appearing on behalf of the respondent Nos. 1, 2 and 3 raised no objection and submitted that he has no objection if the delay is condoned and the matter is registered.

5. After hearing the submissions of the learned counsel for both sides and also considering the grounds mentioned in the application, the delay of 31 days in preferring the connected appeal is hereby condoned.

6. This interlocutory application accordingly stands disposed of.

7. Registry is directed to register and number the connected appeal and to

list the appeal, on a date to be fixed by it.

8. Further the applicant/appellant is directed to serve a copy of the memo of appeal to the respondent Nos. 1, 2 and 3.

9. Registry is also directed to reflect the name of Mr. D. Mondal, learned counsel for the respondent Nos. 1, 2 and 3 in the case list.

JUDGE

Comparing Assistant