

GAHC010269332023



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

Case No. : I.A.(Civil)/3523/2023

ABDUL MANIK BARBHUIYA @ MANIK UDDIN BARBHUIYA
S/O LATE JALAL UDDIN BARBHUIYA,
VILL.- SAYEDBOND PT- I,
DIST.- HAILAKANDI, ASSAM.

VERSUS

NIZAM UDDIN AND 2 ORS.
S/O ABDUL GANI,
R/O NABINGRAM, DIST.- KARIMGANJ, PIN- 788156.

2: MUKTAR AHMED
S/O LATE ISHAQUE ALI

R/O OLD LAKHIPUR ROAD
KANAKPUR
P.O.- 788005
DIST.- CACHAR
ASSAM.

3: THE NATIONAL INSURANCE COMPANY LTD.
REP. BY THE DIVISIONAL MANAGER
NATIONAL INSURANCE COMPANY LTD.
SILCHAR BRANCH
DIST.- CACHAR
ASSAM

Advocate for the Petitioner : MR. J LASKAR, MR SOHAING

Advocate for the Respondent : MR. K K BHATTA (r-3), MR. S ROY (R-1), M. HOSSAIN (R-1), MR. M H LASKAR (R-1)

Linked Case :

ABDUL MANIK BARBHUIYA @ MANIK UDDIN BARBHUIYA

VERSUS

NIZAM UDDIN AND 2 ORS. H

Advocate for : MR. J LASKAR

Advocate for : appearing for NIZAM UDDIN AND 2 ORS. H

**BEFORE
HONOURABLE MRS. JUSTICE MARLI VANKUNG**

ORDER

Date : 06-09-2024

Heard Mr. J. Laskar, learned counsel for the applicant along with Ms. Sharma, learned counsel for respondent No.3, Insurance Company.

It is seen that A/D card upon respondent No.2 is not complete till date while as per the cause list respondent No.1 is duly represented by a learned counsel.

It is seen that the instant I.A. is for condonation of delay of 1 (one) day in filing the appeal against the Judgment & Order of the learned MAC Tribunal, Hailakandi in MAC case No.77/2018 dated 23.06.2023.

The learned counsel for the applicant submits that the reason for the delay of 1

(one) day in filing the instant appeal has been explained at para 2 of the application.

Ms. Sharma, learned counsel for the respondent No.2 submits that they have no objection to the condonation of delay of 1 (one) day.

On perusal of the explanation given by the learned counsel for the applicant at para 2 of the condonation application, this court finds that sufficient grounds have been made out for the delay of 1 (one) day in filing the instant appeal against the Judgment & Order of the learned MAC Tribunal, Hailakandi in MAC case No.77/2018 dated 23.06.2023.

Accordingly, I.A. stands allowed and 1 (day) delay is condoned.

I.A. (Civil) No.3532/2023 stands disposed of and the Registry to registered the MAC.Appeal in due course.

List after 2 (two) weeks on **19.09.2024.**

JUDGE

Comparing Assistant