

GAHC020008202025



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

Case No. : I.A.(Civil)/228/2025

ORIENTAL INSURANCE COMPANY LTD.
HAVING ITS REGISTERED AND HEAD OFFICE OF ORIENTAL HOUSE A-25/27,
ASAF ALI ROAD, NEW DELHI-110002 AND REGIONAL AND DIVISIONAL
OFFICES IN SEVERAL PLACES, INCLUDING REGIONAL OFFICE ATY
GUWAHATI, ASSAM AND A DIVISIONAL OFFICE AT DIMAPUR IN THE STATE
OF NAGALAND.

VERSUS

SMTI. SABIRA MUMTAZ BEGUM AND 5 ORS
W/O LATE AKAMUL ISLAM, R/O GOLAGHAT ROAD, DIMAPUR, NAGALAND
(REPRESENTING RESPONDENT NO. 2,3,4)

2:SHRI MD. SHAMIN AHSAN
S/O LATE AKAMUL ISLAM
R/O GOLAGHAT ROAD
DIMAPUR

3:SHRI MD. AKKACH ALI
S/O LATE HACHEN ALI
R/O GOLAGHAT ROAD
DIMAPUR

4:SMTI. JAMENA KHATTON
WIFE OF SHRI MD. AKKACH ALI
R/O GOLAGHAT ROAD
DIMAPUR

5:SHRI BULUMAI HAZARIKA
W/O MR. TELESWAR HAZARIKA
VILLAGE- LOTHOW

P.O. NOWBOICHA
DISTRICT- LAKHIMPUR-ASSAM. (OWNER OF MARUTI ALTO
B/R NO. AS-07-G-6423)

6:SHRI BUL SAIKIA
S/O MANIK SAIKIA
R/O GANDHALIPAR VILLAGE
LAKHIMPUR
ASSAM. (DRIVER OF MARUTI ALTO
B/R NO. AS-07-G-6423)

Advocate for the Petitioner : KIM PIENYU,

Advocate for the Respondent : ,

Linked Case : MACApp./25/2025

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Advocate for : KIM PIENYU
Advocate for : appearing for SMTI. SABIRA MUMTAZ BEGUM AND 5 ORS

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Advocate for : appearing for SMTI. SABIRA MUMTAZ BEGUM AND 5 ORS

**BEFORE
HON'BLE MRS. JUSTICE YARENJUNGLA LONGKUMER**

ORDER

07/04/2026

The instant application U/S 5 of the Indian Limitation Act, 1963 has been filed praying for condonation of 2 (two) days in filing the connected MAC Appeal No. 25/2025.

2. Heard learned counsel for the applicant/ appellant, Ms. Kim Pienyu.

3. The main causes for the delay has been reflected at paragraph-6 of the application. It is stated that the appellant has a Divisional Office at Dimapur, Nagaland and a Regional Office at Guwahati, Assam. That the Regional Office, Guwahati on receiving the Impugned Judgment dated 01.09.2025 and the Legal Opinion on 23.10.2025 through its counsel, had forwarded the entire claim file to the Divisional Office at Dimapur with the recommendation to file an appeal. Thereafter, the company appointed the present counsel to present the case at Gauhati High Court, Kohima Bench and the file was received by her on 27.10.2025. Subsequently, the counsel furnished her legal opinion to prefer an Appeal against the Impugned Judgment and returned the file along with the petition to the company on 06.11.2025 to obtain signatures. The Regional Office Guwahati, Assam after signing the affidavits forwarded the entire file to its Divisional Office, Dimapur on 25.11.2025. And the instant appeal was thereafter filed on 02.12.2025. Thus, there has

been a delay of 2 (two) days in filing the instant appeal and the learned counsels submits that the delay has not been caused due to willful negligence or default on the part of the appellants. She therefore, prays that the delay may be condoned.

4. Learned counsel, Mr. Nongosa appears for the respondent No. 1. The respondent No. 1 is representing the respondent Nos. 2, 3 and 4 also.

5. The Court has considered the reasons put forth by the applicants in the application and is satisfied that sufficient cause has been shown and therefore, the delay of 2 (two) days in filing the connected appeal is condoned. And the application is allowed.

Sd/-
JUDGE

Comparing Assistant