

GAHC010100942024



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

Case No. : I.A.(Civil)/2075/2024

THE RELIANCE GENERAL INSURANCE CO. LTD.
HAVING ITS REGISTERED OFFICE AT 19, RELAINCE CENTRE, WALCHAND
HIRACHAND MARG, BALLARD ESTATE, MUMBAI 400001 AND
CORPORATE OFFICE AT 570, RECTIFIER HOUSE, NAGAUM CROSS, NEXT
TO ROYAL INDUSTRIAL ESTATE, WADALA (W), MUMBAI 400031 AND ONE
OF THE BRANCH OFFICES AT PRAG PLAZA, 5TH FLOOR G.S. ROAD,
BHANGAGARH GUWAHATI- 781005.

VERSUS

BIRAJ BASUMATARY AND 3 ORS.
S/O LATE UZIR BASUMATARY,
VILL.- BOGIJULI PATHAR, P.O.- BEDETI, P.S.- BEHALI, DIST.- BISWANATH,
ASSAM, PIN- 784179.

2:RUDRA BAHADUR CHETRY
S/O LATE NORDHAJ CHETRY

VILL.- RAJGARH
P.O.- NANKEY PATGAON
BALIPARA
DIST.- SONITPUR
ASSAM
PIN- 784101.

3:ICICI LOMBARD GENERAL INSURANCE COMPANY LIMITED
305
306 KAMAKHYA TOWERS
M.S.S. PATH
CHRISTIANBASTI
GUWAHATI- 781005.

4:JYOTISH PRASAD BORUAH
S/O LATE SABHARAM BORUAH

R/O NALKATA
P.O.- BAGALIJAN
DIST.- LAKHIMPUR
ASSAM
PIN- 787031

Advocate for the Petitioner : MR. A J SAIKIA, MR. S. PEGU, M CHETIA

Advocate for the Respondent : FOR CAVEATOR, A G CHOUDHURY

In

MACApp. Case No. 5661/2014 (Filing Number)

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

31.07.2024

- 1.** Heard Mr. S. Pegu, learned counsel for the applicant. Also heard Ms. A.G. Choudhury, learned counsel for the respondent No. 1.
- 2.** The learned counsel for the applicant has prayed for striking out the names of respondent Nos. 2 and 3 in this Interlocutory Application as the respondent No. 1 is the only contesting respondent in this case.
- 3.** The prayer is allowed.
- 4.** The names of respondent Nos. 2 and 3 are struck out from this Interlocutory Application.
- 5.** This application under the provisions of Section 5 of the Limitation Act is for condoning the delay of 188 days in preferring the connected appeal by which the applicant intends to impugn the judgment and order dated

13.07.2023 passed by Motor Accident Claims Tribunal No. 1, Kamrup, Guwahati in MAC Case No. 2523/2017.

6. The applicant has explained the cause of the delay in paragraph Nos. 3 and 4 of the condonation of delay application.

7. The learned counsel for the respondent No. 1/claimant submits that she has no objection if the delay in preferring the connected MAC Appeal is condoned by this Court.

8. Considering the submissions made by the learned counsel for the respondent No. 1 as well as considering the grounds shown in the application in paragraph Nos. 3 and 4 of the condonation of delay application, the delay of 188 days in preferring the connected MAC Appeal is hereby condoned.

9. This Interlocutory Application is accordingly disposed of.

10. The Registry to register the connected MAC Appeal and list it again after a week.

JUDGE

Comparing Assistant