

GAHC010009742025



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

Case No. : I.A.(Civil)/186/2025

ORIENTAL INSURANCE CO LTD
HAVING ITS REGISTERED OFFICE AT ORIENTAL HOUSE A 25/27 ASAF ALI
ROAD, NEW DELHI 110002 AND REGIONAL OFFICE AT GUWAHATI 7
REPRESENTED BY THE REGIONAL MANAGER

VERSUS

AJIDA BEGUM AND ORS
W/O LATE SAFIRUDDIN @ SABIR UDDIN @ SOFIRUDDIN,
RESIDENT OF VILLAGE BABURA ATI, PO LAOPANI PS KACHUA, DIST
NAGAON, ASSAM 782425

2:ANSARUL ISLAM
S/O LATE SAFIRUDDIN @ SABIR UDDIN @ SOFIRUDDIN

RESIDENT OF VILLAGE BABURA ATI
PO LAOPANI PS KACHUA
DIST NAGAON
ASSAM 782425

3:SABIA SULTANA
D/O LATE SAFIRUDDIN @ SABIR UDDIN @ SOFIRUDDIN

RESIDENT OF VILLAGE BABURA ATI
PO LAOPANI PS KACHUA
DIST NAGAON
ASSAM 782425

4:SADIA SULTANA
D/O LATE SAFIRUDDIN @ SABIR UDDIN @ SOFIRUDDIN

RESIDENT OF VILLAGE BABURA ATI
PO LAOPANI PS KACHUA
DIST NAGAON

ASSAM 782425

5:SRI SANJIB NATH
S/O SUDHIR RANJAN NATH
RESIDENT OF NEAR DEWANPASSA S.B SCHOOL
DEWANPASSA
PS DHARMA NAGAR
NORTH TRIPURA
799254

6:SRI DIPAK DEBNATH
S.O LATE TARANI DEBNATH
RESIDENT OF VILLAGE AND PO HOSPITAL ROAD
PS DHARMA NAGAR
NORTH TRIPURA
79925

Advocate for the Petitioner : MS. M CHOUDHURY, MR SISHIR DUTTA,SISH

Advocate for the Respondent : MR A DASGUPTA (R-1), MS B DAS (R-1),MR S CHAKRABORTY (R-1)

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

Date : 13.10.2026

1. Heard Ms. M. Choudhury, learned counsel for the applicant. Also heard Mr. A. Dasgupta, learned senior counsel assisted by Ms. B. Das, learned counsel for the respondent Nos. 1, 2, 3 and 4.

2. On perusal of the office note dated 24.09.2026, it appears that notice issued to the opposite party No. 5 has been duly delivered to the said opposite party. As such, same is held to be duly served.

3. This application under Section 5 of the Limitation Act has been filed by the applicant, namely, Oriental Insurance Company Limited, praying for condonation of a delay of 10 days in preferring the connected MAC appeal

wherein the judgment and award dated 30.09.2024, passed by the Motor Accident Claims Tribunal, Nagaon, in MAC Case No. 225/2020 has been impugned.

4. The learned counsel for the applicant submits that the reasons for the delay in preferring the connected appeal beyond the prescribed period of limitation has been mentioned in paragraph No. 4 of the instant interlocutory application.

5. The learned senior counsel for the opposite party Nos. 1, 2, 3, and 4 submits that considering the short period of delay of 10 days only, the said opposite parties do not have any objection if the delay is condoned.

6. After considering the grounds mentioned in paragraph No. 4 of the instant interlocutory application to be sufficient reasons which prevented the present applicant in preferring the connected appeal within the prescribed period of limitation, the delay of 10 days in preferring the connected MAC appeal is hereby condoned and this interlocutory application is allowed.

7. The Registry is directed to register the connected MAC appeal and list the same for admission, immediately on reopening, after Puja vacation.

8. Let the names of Mr. A. Dasgupta, learned senior counsel along with Ms. B. Das and Mr. S. Chakraborty, learned counsel be reflected in the cause-list as engaged counsel for respondent Nos. 1, 2, 3, and 4 henceforth.

JUDGE

Comparing Assistant