

GAHC010079562026



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

Case No. : I.A.(Civil)/1315/2026

NEW INDIA ASSURANCE COMPANY LTD.
HAVING ITS REGISTERED OFFICE AND HEAD OFFICE AT 87, M.G. ROAD,
FORT, MUMBAI AND ITS REGIONAL OFFICE AT STAR CITY COMPLEX, 5TH
FLOOR .LACHIT NAGAR NEAR HANUMAN MANDIR G.S. ROAD,
GUWAHATI-781007.

VERSUS

SMTI POPPY BARUAH AND 4 ORS.
W/O SRI TARUN BARUAH

2:SRI TARUN BARUAH
S/O SRI NUMAL CHANDRA BARUAH

3:SRI ANKIT BARUAH
S/O SRI TARUN BARUAH

ALL ARE RESIDENTS OF VILL-CHANGMAI GAON
THERMAL
P.O. AND P.S. TINSUKIA
DIST.-TINSUKIA
ASSAM. PIN-786125. CLAIMANTS RESPONDENT NO.3 BEING MINOR IS
REPRESENTED BY HIS LEGAL GUARDIAN MOTHER
I.E.RESPONDENT NO.1.

4:SRI PULIN DEY
S/O LATE SURANJAN DEY
R/O-VILLAGE-JYOTI NAGAR
NAU-PUKHURI P.O. AND P.S. TINSUKIA
DIST. TINSUKIA
ASSAM. PIN-786125. DRIVER OF THE VEHICLE NO. AS-23-W-5499 ROYAL
ENFIELD BUILET

5:SRI RAJU KUMAR SINGH

S/O LATE ROMESH SINGH
R/O-MAKUM ROAD
NEAR KAMAKHYA NAGAR
P.O. AND P.S.TINSUKIA DIST.-TINSUKIA
ASSAM. PIN-786125. OWNER OF THE VEHICLE NO. AS-23-W-5499ROYAL
ENFIELD BULLE

Advocate for the Petitioner : MS. M SAIKIA, MS. P BORTHAKUR,MR. R GOSWAMI

Advocate for the Respondent : MR. S NAG(R1,2,3), MR. N D SARMA(R1,2,3),A
RAHMAN(R1,2,3)

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

Date : 28.08.2026

- 1.** Heard Ms. M. Saikia, learned counsel for the applicant. Also heard Mr. A. Rahman, learned counsel for the opposite party Nos. 1, 2 and 3.
- 2.** This interlocutory application has been filed by the applicant/Insurance Company praying for condonation of delay of 33 days in preferring the connected appeal wherein the judgment and award dated 11.09.2025, passed in MAC Case No. 12/2021 by the Motor Accident Claims Tribunal, Tinsukia has been impugned.
- 3.** The learned counsel for the applicant submits that the reasons for delay caused in filing the connected appeal has been stated in paragraph No. 2 of the instant interlocutory application.
- 4.** The learned counsel for the opposite party Nos. 1, 2 and 3/claimants have not opposed the prayer for condonation of delay and as such, the notice to opposite party Nos. 4 and 5 is waived in this case.

5. Considering the submissions made by the learned counsel for the applicant as well as grounds stated in the instant interlocutory application, this Court is of considered opinion that the applicant was prevented due to sufficient cause in preferring the connected appeal within the prescribed period of limitation.

6. As such, the delay of 33 days in preferring the connected appeal is hereby condoned and this interlocutory application is allowed.

7. The Registry is directed to register the connected appeal and list the same for admission on 7th of September, 2026.

JUDGE

Comparing Assistant