

GAHC040000982023



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

Case No. : IA(C) 21/2023

1: THE STATE OF AP and 3 Ors.

Represented by the Chief Secretary, Govt. of Arunachal Pradesh, AP Civil Secretariat,
Itanagar, PO Itanagar.

2: The Secretary (Housing)

Govt. of Arunachal Pradesh
Itanagar

3: The Director

Department of Urban and Housing
Govt. of Arunachal Pradesh
Itanagar.

4: The Executive Engineer

Public Works Department
Govt. of Arunachal Pradesh
Itanagar

VERSUS

1: Phassang Yachang and 16 Ors.

W/o Shri Tarh Taigh,
R/o Papu Hill, PO Naharlagun, PS Papu Hill, District Papumpare, AP

2: Punyo Tani

S/o Lt. Punyo Tapu
R/o Papu Hill
PO Naharlagun
PS Papu Hill
District Papum Pare
AP

3:Anup Kr. Sharma
S/o Shri Hari Nath Sharma
R/o Papu Hill
PO Naharlagun
PS Papu Hill
District Papum Pare
AP

4:Yakek Dabi
W/o Shri Yumge Yomgam
R/o Papu Hill
PO Naharlagun
PS Papu Hill
District Papum Pare
AP

5:Devendar Yadav
S/o Lt. Ghina Yadav R/o Papu Hill
PO Naharlagun
PS Papu Hill
District Papum Pare
AP

6:Tama Gao
S/o Lt. Tamar Gao
R/o Papu Hill
PO Naharlagun
PS Papu Hill
District Papum Pare
AP

7:Pokpi Yomgam
W/o Shri Kotu Yomgam
R/o Papu Hill
PO Naharlagun
PS Papu Hill
District Papum Pare
AP

8:Techi Kayai
D/o Lt. Techu Kuli

R/o Papu Hill
PO Naharlagun
PS Papu Hill
District Papum Pare
AP

9: Bol Bahadur Rai
S/o Lt. Bahardur Rai
R/o Papu Hill
PO Naharlagun
PS Papu Hill
District Papum Pare
AP

10: Mesap Sonam
W/o Lt. Mechi Lapung
R/o Papu Hill
PO Naharlagun
PS Papu Hill
District Papum Pare
AP

11: Bengia Talo
S/o Shri Bengia Takia
R/o Papu Hill
PO Naharlagun
PS Papu Hill
District Papum Pare
AP

12: Charu Taba
S/o Lt. Charu Tada
R/o Papu Hill
PO Naharlagun
PS Papu Hill
District Papum Pare
AP

13: Akash Bagang
S/o Tamang Bagang
R/o Papu Hill
PO Naharlagun
PS Papu Hill

District Papum Pare
AP

14:Kipa Tayum
S/o Lt. Kipa Tai
R/o Papu Hill
PO Naharlagun
PS Papu Hill
District Papum Pare
AP

15:Tadu Rimung
W/o Tage Takar
R/o Papu Hill
PO Naharlagun
PS Papu Hill
District Papum Pare
AP

16:S. Mohan
S/o Shri Sreedharan
R/o Papu Hill
PO Naharlagun
PS Papu Hill
District Papum Pare
AP

17:S. Chandran
S/o Shri Sreedharan
R/o Papu Hill
PO Naharlagun
PS Papu Hill
District Papum Pare
A

Advocate for the Petitioner : Subu Tapin

Advocate for the Respondent :

BEFORE
HONBLE MR. JUSTICE NANI TAGIA
HONBLE MRS. JUSTICE MITALI THAKURIA

ORDER

Date : 20.04.2023

(Nani Tagia, J)

Heard Mr. S. Tapin, learned Senior Government Advocate for the applicant.

Office Note dated 17.04.2023, shows that unserved notice in respect of Opposite Parties no. 1 to 17 have been received back with Postal note "refused".

We have perused the notice sent to the Opposite Parties no. 1 to 17, which have been returned back and on perusal thereof, we find that there is a remark made by the Postal authority that the notice has been refused.

In view of the above, notice to the Opposite Parties no. 1 to 17 are deemed to have been served.

This is an application, under Section 5 of the Limitation Act, 1963, for condonation of delay 147 days in filing the Writ Appeal, challenging the Judgment and Order dated 29.07.2022, passed in WP(C)254(AP)2022.

Upon perusal of the grounds assigned in the interlocutory application for condonation of delay, we are satisfied that the applicant was prevented by a sufficient cause in not preferring the connected writ appeal within the stipulated time.

In view of above, the delay of 147 days in filing the connected Writ Appeal is hereby condoned in the interest of justice.

The Interlocutory application stands disposed of.

JUDGE

JUDGE

Comparing Assistant