

GAHC040006552023



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

Case No. : IA(C)/88/2023

Dondup Jamchen
S/o Chime Dorjee Village Gelling, PO/PS Tuting, District Upper Siang, Arunachal Pradesh.

VERSUS

The Union of India and 9 Ors.
Through Cabinet Secretary to the Govt. of India, Cabinet Secretariat, Rashtrapati Bhawan, New Delhi 110004 2:The Defence Secretary
Age: 0
Occupation :

3:The Director General Defence Estates
Age: 0
Occupation :

4:The Principal Director
Age: 0
Occupation :

5:The Defence Estates Officer
Age: 0
Occupation :

6:The Commanding Officer
Age: 0
Occupation :

7:The Chief Secretary

Age: 0

Occupation :

8:The Secretary

Age: 0

Occupation :

9:The Director

Age: 0

Occupation :

10:The Deputy Commissioner

Age: 0

Occupation

Advocate for the Petitioner : Nikita Danggen

Advocate for the Respondent : Marto Kato

Linked Case : WA/18/2023

Dondup Jamchen

Age: 51

Occupation :

Address:S/o Chime Dorjee Village Gelling

PO/PS Tuting

District Upper Siang

Arunachal Pradesh.

VERSUS

THE UNION OF INDIA and 9 Ors.

Age: 0

Occupation :

Address:Through Cabinet Secretary to the Govt. of India

Cabinet Secretariat

Rashtrapati Bhawan

New Delhi 110004

2:The Defence Secretary

Age: 0
Occupation :
Address:Ministry of Defence
Govt. of India
101 A
South Block
New Delhi 110011

3:The Director General Defence Estates
Age: 0
Occupation :
Address:Raksha Sampada Bhawan
Ulaanbaatar Road
Ministry of Defence
Delhi Cantt. 110010

4:The Principal Director
Age: 0
Occupation :
Address:Defence Estates
Eastern Command
Ministry of Defence
13 Camac Steeet
7th Floor
Kolkata 700013

5:The Defence Estates Officer
Age: 0
Occupation :
Address:Itanagar Circle
Camp at Model Village
Naharlagun
Arunachal Pradesh 791110

6:The Commanding Officer
Age: 0
Occupation :
Address:8th Maratha Light Infantry Regiment
Tuting
Upper Siang District
Arunachal Pradesh.

7:The Chief Secretary
Age: 0
Occupation :
Address:Govt. of Arunachal Pradesh
Itanagar
PO/PS Itanagar

Papum Pare District
Arunachal Pradesh.

8:The Secretary

Age: 0

Occupation :

Address:Land Management

Govt. of Arunachal Pradesh

Itanagar

PO/PS Itanagar

Papum Pare District

Arunachal Pradesh.

9:The Director

Age: 0

Occupation :

Address:Land Management

Govt. of Arunachal Pradesh

Itanagar

PO/PS Itanagar

Papum Pare District

Arunachal Pradesh.

10:The Deputy Commissioner

Age: 0

Occupation :

Address:Yingkiong

Upper Siang District

Govt. of Arunachal Pradesh

PO/PS Yingkiong

Arunachal Pradesh.

Advocate for : Nikita Danggen

Advocate for : Marto Kato appearing for THE UNION OF INDIA and 9 Ors.:

Advocate ,

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, appearing for 2,
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**BEFORE
HONBLE MR. JUSTICE NANI TAGIA
HONBLE MRS. JUSTICE SUSMITA PHUKAN KHAUND**

ORDER

Date : 18.07.2023
(NaniTagia, J)

Heard Mr. O. Duggong, learned counsel for the applicant. Also heard Mr. M. Kato, learned DSGI representing the opposite party Nos. 1 to 6 and Mr. D. Kamduk, learned standing counsel for the Land Management Department representing the opposite party Nos. 8 & 9 as well as Ms. G. Ete, learned Addl. Senior Government Advocate representing the opposite party Nos. 7 & 10.

This is an application, under Section 5 of the Limitation Act 1963, praying for condonation of delay of 313 days, in filing the Writ Appeal No. 18/

(AP)2023, which appeal is directed against the Judgment and Order dated 14.06.2022, passed by the learned Single Bench in WP(C) No. 493/(AP)2019

The learned counsels for the respondents submit that they have no objection if delay of 313 days, in filing the instant Writ Appeal is condoned.

Upon hearing the learned counsel for the parties and on perusal of the explanation provided in the accompanying application, we are satisfied that the applicant was prevented by a sufficient cause in not preferring the writ appeal No. 18/(AP)2023 with the stipulated time.

Accordingly, delay of 313 days in filing the Writ Appeal No. 18/(AP)2023, which appeal is directed against the Judgment and Order dated 14.06.2022, passed by the learned Single Bench in WP(C) No. 493/(AP)2019, hereby, is condoned in the interest of justice.

Interlocutory application stands allowed and disposed of.

JUDGE

JUDGE

Comparing Assistant