

GAHC040007662023



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

Case No. : IA(C)/104/2023

Kuru Puming
W/O Late Kuru Hassang,
resident of Old Ziro, PO/PS-Ziro

VERSUS

All Bulla Welfare Society, Ziro
Lower Subansiri District, Arunachal Pradesh represented by its Chairman,
Head Office located at Bulla Farm, Old Ziro

2: Puna Hinda
Age: 48
Occupation

Advocate for the Petitioner : Mudang Batt

Advocate for the Respondent : Subu Koyang

BEFORE
HONBLE MR. JUSTICE BUDI HABUNG

ORDER

Date : 09.04.2024

Heard Mr. M. Batt, learned counsel for the applicant. Also heard Mr. S. Koyang, learned counsel appearing for the respondent Nos. 1 & 2.

This is an application under Section 5 of the Limitation Act, 1963, praying for condonation of delay of 131 days in filing the connected Regular Second Appeal.

The grounds for delaying in filing the connected appeal has been explained in paragraph No. 6 of the condonation petition. Inter-alia stating therein that the applicant was suffering from different ailments and she was undergoing medical treatment in the Hospital (Allopathic) since a year back; and as there was no sign of improvement and all of a sudden when she became serious from the month of February 2023, she had to change and shift her medical treatment from Allopathic to Men-Tsee-Khang (Tibetan Medical & Artro Institute of H.H. the Dalai Lama) Branch at Siddhartha Vihar, Itanagar to till date, due to which there has been a delay of 131 days in filing the connected Regular Second Appeal.

On perusal of the ground stated in the above paragraph No. 6 of the petition, I am fully satisfied that the applicant has been able to show a sufficient cause for not preferring the connected appeal within the stipulated time.

Further, the learned counsel for the respondent has also fairly submitted that although the ground stated by the applicant is not sufficient and a good ground for condonation of delay. However, for ends of justice and fair trial, he has no objection, if the delay of 131 days in filing the connected appeal is

condoned.

In view of the above, the delay of 131 days in filing the connected appeal is hereby condoned.

With the above observation, the interlocutory application stands allowed and disposed of.

JUDGE

Comparing Assistant