

GAHC040008752024



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

Case No. : Election Pet./7/2024

Tadar Mangku

Son of Late Tadar Tagam, permanent resident of Village Langht Loth, PO and PS Nyapin, Kurung Kumey District, Arunachal Pradesh 791118 and presently residing at Pachin Colony, PO and PS Naharlagun, Papumpare District, Arunachal Pradesh 791110

VERSUS

Tai Nikio

Son of Late Tai Kami, permanent resident of Village Peel, PO and PS Sangram, Kurung Kumey District, Arunachal Pradesh 791118 and presently residing at Karsingsa, Doimukh, Papumpare District, Arunachal Pradesh 791123

Advocate for the Petitioner : D J Kapil, D Tadar,K Posi

Advocate for the Respondent : ,

Linked Case : IA(C)/181/2024

Tai Nikio

Age: 54

Occupation :

Address:Son of Late Tai Kami

permanent resident of Village Peel

PO and PS Sangram

Kurung Kumey District

Arunachal Pradesh 791118 and presently residing at Karsingsa

Doimukh

Papumpare District

Arunachal Pradesh 791123

VERSUS

Tadar Mangku

Age: 54

Occupation :

Address: Son of Late Tadar Tagam

permanent resident of Village Langht Loth

PO and PS Nyapin

Kurung Kumey District

Arunachal Pradesh 791118 and presently residing at Pachin Colony

PO and PS Naharlagun

Papumpare District

Arunachal Pradesh 791110

Advocate for : Tabing Lamgu

Advocate for : K Posi appearing for Tadar Mangku: Advocate appearing for respectively.

B E F O R E

HON'BLE MR. JUSTICE KARDAK ETE

ORDER

27.09.2024

Heard Mr. P.K. Tiwari, learned Senior Counsel assisted by Mr. T. Lamgu, learned counsel for the applicant/respondent. Also heard Mr. R. Biswas, learned counsel for opposite party/petitioner.

This is an application under Section VIII Rule I of the Code of Civil Procedure, 1908 seeking grant of time for filing written statement in Election Petition No. 07/2024.

Mr. P.K. Tiwari, learned Senior Counsel submits that the applicant has received the Election Petition by dasti mode on 01.09.2024. He submits that the applicant has filed the application under Order VII and Rule 11 assailing the

maintainability of the election petition and also an application under Order VI Rule 16 of the Code of Civil Procedure, 1908 for striking off pleadings in the election petition. Therefore, since the applicant has received the election petition by dasti mode only on 01.09.2024 and the applications with regard to the maintainability and striking off pleadings in the election petition are pending consideration, the applicant may be granted 20 (twenty) days time to file his written statement.

Mr. R. Biswas, learned counsel for the opposite party has submitted that, although the election petition was served to the applicant on 30.08.2024, he would not have serious objection for granting 20(twenty) days time to file written statement.

Having considered the submissions of the learned counsel for the parties and considering that the election petition has been served by dasti mode to the applicant only on 01.09.2024, I deem it appropriate to grant 20 days time to file written statement to the applicant.

Accordingly, 20(twenty) days time is granted to the applicant/respondent to file his written statement.

This I.A.(C) 181/2024 stands allowed and disposed of.

JUDGE

Comparing Assistant