

GAHC010002722024



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

Case No. : I.A.(Civil)/409/2024
In WP(C)/4867/2015

MD. ABDUSH SAMAD
S/O. LT. NASIRUDDIN AHMED, R/O. VILL.- RAJNAGAR, WARD NO. 11, P.O.-
NALBARI KAJIPARA, DIST.- NALBARI, PIN-781335.

VERSUS

THE STATE OF ASSAM AND 7 ORS
REPRESENTED BY THE COMMISSIONER and SECRETARY, CO-OPERATIVE
DEPARTMENT, DISPUR, GHY-781006.

2:REGISTRAR
CO-OPERATIVE SOCIETIES SAMABAY BHAWAN
KHANAPARA HEAD OFFICE
GHY-781006.

2.1:ADDL. REGISTRAR OF THE COOPERATIVE SOCIETIES (GENERAL)
ASSAM
KHANAPARA
GUWAHATI-781022

3:DIST. DY REGISTRAR
CO-OPERATIVE SOCIETIES
NALBARI
GOPAL BAZAR
NALBARI.

4:ASSTT. REGISTRAR
CO-OPERATIVE SOCIETIES
NALBARI
NEAR HAJO BUS STAND.

5:THE SUB-REGISTRAR
CO-OPERATIVE SOCIETIES AUDIT
NALBARI CUM ASSTT. PUBLIC INFORMATION OFFICER
NALBARI
GOPAL BAZAR
NALBARI
ASSAM.

6:DIST. LEVEL COMMITTEE
NALBARI REP. BY THE DY. COMMISSIONER
NALBARI.

7:THE DY. COMMISSIONER
NALBARI

Advocate for the Petitioner : MR. J KALITA,
Advocate for the Respondent : SC, CO OP,

BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO

ORDER

04-12-2024

Heard Mr. J. Kalita, learned counsel for the applicant, who submits that by filing this application the applicant seeks condonation of delay of 605 days in filing the connected restoration application to restore WP(C)/4867/2015 to file which was dismissed for non-prosecution on 19.02.2020.

Drawing the attention of this Court to the statements made in the application, the learned counsel submits that it was due to communication gap with the earlier appointed counsel that the applicant was unaware about the dismissal of his case for non-prosecution. He submits that unless the delay is condoned the applicant is bound to suffer irreparable loss and hardship.

Shri G. Bordoloi, learned counsel appearing for the Cooperation Department submits that although the application appears to be not satisfactory in the expression given but under the facts and circumstances, Court may consider

and pass appropriate order(s).

Considering the submissions made by the learned counsel for the parties and on perusal of the application, Court is inclined to condone the delay in filing the connected restoration application.

Accordingly, the delay of 605 days filing the connected restoration application stands condoned.

IA stands disposed of.

JUDGE

Comparing Assistant