

GAHC010034482024



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

**Case No. : I.A.(Crl.)/233/2024**

PRABODH BHATTA  
S/O LATE SUSHIL RANJAN BHATTA  
R/O VIP COMPLEX, BYE LANE- 3, SREE NAGAR PATH, LALGANESH P.O.  
LALGANESH, P.S. FATASHIL AMBARI,  
GUWAHATI-781034, DIST. KAMRUP (M), ASSAM

VERSUS

SWAPNA ROY  
D/O SRI DHANU ROY  
R/O INDRASINGH PATH BIMALANAGAR,P.O. GOPINATH NAGAR, P.S.  
FATASHIL AMBARI, GUWAHATI-781016, DIST. KAMRUP (M), ASSAM

**Advocate for the Petitioner** : MR. H BETALA, MR. D K RAJAK,MR. C KUMAR  
**Advocate for the Respondent** : MR. R RAHMAN, MR. MAYUR DAS

**BEFORE**  
**HONOURABLE MRS. JUSTICE MALASRI NANDI**

**ORDER**

**10.09.2024**

Heard Mr. H. Betala, learned counsel for the applicant/appellant as well as Mr. M. Das, learned counsel appearing for the respondent.

By this application filed under Section 5 of the Limitation Act, the applicant has prayed for condoning the delay of 505 days for preferring the connected

revision petition against the judgment/order dated 01.07.2022 passed in F.C. (Crl.) Case No. 264/2020 by the learned Principal Judge, Family Court No.1, Kamrup(M), Guwahati.

According to learned counsel for the petitioner, though apparently it appears that there was delay of 505 days in preferring the connected revision petition, however, in fact there was delay of 239 days. This has also been supported by the learned counsel for the respondent.

Learned counsel appearing for the respondent has submitted that delay may be condoned with exemplary cost.

In view of the submission of learned counsel for the parties, delay of 239 days is hereby condoned subject to payment of cost of Rs.2000/- to be deposited before the Registry of this Court and the respondent is allowed to withdraw the same.

Registry is directed to register the connected revision petition and list the same for admission.

This interlocutory application accordingly stands disposed of.

**JUDGE**

**Comparing Assistant**