

GAHC010081102024



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

**Case No. : I.A.(Civil)/1166/2024**

THE FOOD CORPORATION OF INDIA AND 2 ORS  
REGIONAL OFFICE, REPRESENTED BY ITS CHAIRMAN-CUM-MANAGING  
DIRECTOR, BARAKHAMBA ROAD, NEW DELHI, PIN-110006

2: THE GENERAL MANAGER (REGIONAL)  
FOOD CORPORATION OF INDIA  
REGIONAL OFFICE  
ASSAM REGION  
PALTANBAZAR  
GUWAHATI  
ASSAM  
PIN-781008

3: THE DIVISIONAL MANAGER  
FOOD CORPORATION OF INDIA  
DIVISIONAL OFFICE  
NORTH LAKHIMPUR  
ASSAM 78700

VERSUS

M/S NIT TRADERS  
HAVING ITS REGISTERED OFFICE AT G.C. ROAD, WAKAF BUILDING,  
TEZPUR, DIST- SONITPUR, ASSAM, PIN-784001, REPRESENTED BY ITS  
PROPRIETOR, SRI DIGANTAJIT BARUAH, AGED ABOUT 55 YEARS, S/O  
LATE LAKHI PRASAD BARUAH, R/O G.C. ROAD, WAKAF BUILDING,  
TEZPUR, DIST-SONITPUR, ASSAM, PIN-784001

**Advocate for the Petitioner : MR B K SINGH,**

**Advocate for the Respondent : MRS. R BORBORA, MR K KALITA, MS. N DEY**

Linked Case :

THE FOOD CORPORATION OF INDIA AND 2 ORS

VERSUS

M/S NIT TRADERS F

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Advocate for : MR B K SINGH  
Advocate for : appearing for M/S NIT TRADERS F

**BEFORE**  
**HONOURABLE MR. JUSTICE KALYAN RAI SURANA**  
**HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND**

**ORDER**

**16.12.2024**

(K.R. Surana, J)

Heard Ms. D. Pegu, learned counsel appearing on behalf of Mr. B. K. Singh, learned counsel for the applicant. Also heard Mr. A. C. Borbora, learned Senior Counsel assisted by Ms. N. Dey, learned counsel for the respondent.

2. By filing this Interlocutory Application under Section 5 of the Limitation Act, the applicant is seeking condonation of delay of 6 (six) days beyond the period of limitation in filing the connected writ appeal.

3. The learned Senior Counsel for the respondent has objected to the prayer made on the ground that the explanation for delay is vague and therefore, the application should not be allowed.

3. Considering the projection that there was some delay in obtaining the approval from the competent authority, and, taking into consideration that the delay is only for 6 days, this interlocutory application stands allowed. The delay of 6 days beyond the period of limitation in filing the connected writ appeal stands condoned.
4. Registry shall register the connected writ appeal and as agreed to by both sides, list the same in the admission column on 29.01.2025.

**JUDGE**

**JUDGE**

**Comparing Assistant**