

GAHC010082312024



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

Case No. : I.A.(Civil)/1230/2024
In WA No.4638/2024 (Filing Number)

1.THE GAUHATI HIGH COURT AND 2 ORS
REPRESENTED BY THE REGISTRAR GENERAL, GAUHATI HIGH COURT,
M.G. ROAD, UZAN BAZAR, GUWAHATI, ASSAM, PIN-781001.

2: THE REGISTRAR GENERAL
GAUHATI HIGH COURT
M.G. ROAD UZAN BAZAR
GUWAHATI ASSAM PIN-781001.

3: FINANCE AND ACCOUNTS OFFICER
GAUHATI HIGH COURT
M.G. ROAD UZAN BAZAR
GUWAHATI ASSAM PIN-781001

VERSUS

1.HASNINE ALAM AND 3 ORS
S/O LATE MEHBUB ALAM, RESIDENT OF GANDHI BASTI, OPP. HOUSE NO.
60, BYE LANE NO. 1, NEAR GANDHINAGAR GIRLS HIGH SCHOOL, PO
SILPUKHURI, DIST KAMRUP M ASSAM 781003

2:THE STATE OF ASSAM
REP. BY THE LEGAL REMEMBRANCER AND SECRETARY TO THE GOVT.
OF ASSAM. JUDICIAL DEPTT.
E BLOCK 2ND FLOOR ASSAM SECRETARIAT
DISPUR GUWAHATI ASSAM PIN-781006.

3:THE ADDITIONAL CHIEF SECRETARY TO THE GOVT. OF ASSAM
FINANCE DEPTT.
A BLOCK 4TH FLOOR ASSAM SECRETARIAT
DISPUR GUWAHATI ASSAM PIN-781006.

4:THE ACCOUNTANT GENERAL (A AND E)
OFFICE OF THE ACCOUNTANT GENERAL
MAIDAMGAON BELTOLA GUWAHATI
ASSAM PIN-781029

For the Applicant(s) : Mr. H.K. Das, Standing Counsel, Gauhati High Court.
For the Respondent(s) : Ms. D. Ghosh, Advocate for respondent No.1.
: Mr. N. Das, Government Advocate, Assam for respondent No.2.
: Mr. C. Baruah, learned Standing Counsel, AG for respondent No.4.

– BEFORE –
HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI
HON'BLE MR. JUSTICE KARDAK ETE

21.06.2024

(Vijay Bishnoi, CJ)

The matter comes up for consideration of I.A.(Civil) No.1230/2024 preferred on behalf of the applicants under Section 5 of the Limitation Act, 1963 with a prayer to condone the delay of 112 days occasioned in preferring the connected writ appeal.

Notice issued to the respondent No.1 has already been served.

Ms. D. Ghosh, learned counsel appears for respondent No.1; Mr. N. Das, learned Government Advocate, Assam appears for respondent No.2 and Mr. C. Baruah, learned Standing Counsel, AG appears for respondent No.4. None has appeared on behalf of the respondent No.3 despite service of notice.

Learned counsel appearing for the respondents have not seriously opposed the application for condonation of delay.

Having heard the learned counsel appearing for the parties and after

going through the contents of the application, we deem it appropriate to condone the delay of 112 days occasioned in preferring the connected writ appeal. Hence, the application is allowed and the delay of 112 days occasioned in preferring the connected writ appeal is condoned.

The Registry is directed to register and number the connected writ appeal and list the same for admission after the ensuing summer vacation.

Requisite copies of the connected writ appeal be furnished to the learned counsel for the respondents by the learned counsel for the applicants/appellants.

JUDGE

CHIEF JUSTICE

Comparing Assistant