

GAHC010086432023



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

Case No. : I.A.(Crl.)/336/2023

DHARMESWAR KALITA
S/O LATE HABIRAM KALITA
R/O VILL- MAJGARI,
PS. TAMULPUR
DIST. BAKSA (BTAD), ASSAM

VERSUS

BULO KALITA
W/O DHARMESHWAR KALITA
R/O VILL- DWAMAKHA
P.S. TAMULPUR
DIST. BAKSA (BTAD), ASSAM

Advocate for the Petitioner : MR. J AHMED

Advocate for the Respondent :

Linked Case :

DHARMESWAR KALITA

VERSUS

BULO KALITA (E)

Advocate for : MR. J AHMED
Advocate for : appearing for BULO KALITA (E)

**BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI**

ORDER

24.01.2024

Heard Mr. J. Ahmed, learned counsel for the petitioner.

This is an interlocutory application for condonation of delay of 204 days in filing the revision petition against the Order dated 28.06.2022 passed in MR Case No. 43/2019 by the Judicial Magistrate, JMFC, Baksa.

Though notice was issued upon the sole respondent vide Order dated 02.05.2023 by this Court, the said respondent refuses to accept notice in the presence of three witnesses. A copy of the additional affidavit indicating the reasons for not being able to serve notice upon the sole respondent has been filed. By Order dated 10.11.2023, this Court, upon perusal of the aforesaid affidavit has deemed that the notice have been served upon the respondent.

The ground of delay has been stated in paragraph Nos. 3, 4 & 5 of the application.

I have perused the same. The grounds stated appears to be sufficient and

bonafide.

After due consideration of the aforesaid grounds and in the interest of justice, the delay is condoned. As such, the application for condonation of delay is allowed.

I.A is accordingly disposed of.

In view of the aforesaid order, Registry is directed to register and number the connected criminal revision petition.

JUDGE

Comparing Assistant