

GAHC010123312023



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

Case No. : I.A.(Civil)/1628/2023

M/S JOY CONSTRUCTION AND ANR.
A PROPRIETORSHIP CONCERN HAVING ITS OFFICE AT P.D CHALIHA
ROAD, SILPUKHURI, GUWAHATI

2: MR. GANGA DHAR KALITA
PROPRIETOR OF M/S JOY CONSTRUCTION
RESIDENT OF HOUSE NO. 110
WARD 35
BYE LANE NO. 01
P.D CHALIHA ROAD
SILPUKHURI
GUWAHATI 03
ASSA

VERSUS

SANI STEELS PRIVATE LTD.
A COMPANY REGISTERED UNDER THE COMPANIES ACT, 1956 HAVING ITS
REGISTERED OFFICE AT 5TH FLOOR, ABOVE P.C DAS MARKET NEAR
ATHGAON, OVER BRIDGE, AT ROAD GUWAHATI 781001, DIST KAMRUP M
ASSAM, REPRESENTED BY ITS DIRECTOR SRI AJAY KUMAR AGARWAL,
SON OF LATE MOHANLAL AGARWAL

For the Applicant(s) : Mr. S. K. Goswami, Advocate

For the Respondent(s) : Mr. A. Sancheti, Advocate

**BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

Date : 22.05.2024

This is an application filed under Section 5 of the Limitation Act, 1963 for condoning the delay of 28 days in preferring the accompanying Second Appeal against the judgment and decree dated 30.04.2022 passed by the learned Civil Judge No.2, Kamrup (M) at Guwahati in Money Appeal No.03/2017.

2. This Court has perused the grounds which have been mentioned in the instant application and in the opinion of this Court, the same constitutes a sufficient cause for condoning the delay.

3. Accordingly, the instant application stands allowed thereby condoning the delay of 28 days.

4. The Registry is directed to register the accompanying Regular Second Appeal and list the matter on 10.06.2024 in the column of Order XLI Rule 11.

JUDGE

Comparing Assistant