

GAHC010168922019



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

Case No. : I.A.(Civil)/460/2020

SMTI. BHABANI PAYENG TAID
W/O- SRI TRIRANJAN TAID, R/O- VILL.- JAMUGURI, P.O. GHUNASUTI, P.S.
NORTH LAKHIMPUR, DIST.- LAKHIMPUR, ASSAM.

VERSUS

STATE OF ASSAM AND 5 ORS
REP. BY THE SECRETARY, DEPARTMENT OF WOMEN AND CHILD
DEVELOPMENT, GOVT. OF ASSAM, DISPUR, GUWAHATI-06, ASSAM.

2:THE DIRECTOR
DEPARTMENT OF WOMEN AND CHILD DEVELOPMENT
GOVT. OF ASSAM
DISPUR
GUWAHATI-6
ASSAM

3:THE DEPUTY COMMISSIONER
NORTH LAKHIMPUR
DIST.- LAKHIMPUR
ASSAM

4:THE CHILD DEVELOPMENT PROJECT OFFICER
INTEGRATED CHILDREN DEVELOPMENT SCHEME PROJECT
LAKHIMPUR
P.O. BOWALGURI
DIST.- LAKHIMPUR
ASSAM.

5:THE COLLECTOR
LAKHIMPUR DISTRICT
NORTH LAKHIMPUR

ASSAM.

6:SMTI. NIZARA MORANG TAID
W/O- SRI CHITRA RANJAN TAID
R/O- VILL.- JAMUGURI NO. 1
P.O. GHUNASATI
P.S. NORTH LAKHIMPUR
DIST.- LAKHIMPUR
ASSA

Advocate for the Petitioner : MR J PAYENG

Advocate for the Respondent : GA, ASSAM

Linked Case :

SMTI. BHABANI PAYENG TAID

VERSUS

STATE OF ASSAM AND 5 ORS

Advocate for the applicant(s):

Ms. Anita Payeng

Advocate for the respondent(s):

Ms. D Das Barman
Additional Senior Government
Advocate, Assam.

B E F O R E
HON'BLE MR. JUSTICE DEVASHIS BARUAH

ORDER

29.04.2024

This is an application under Section 5 of the Limitation Act for condonation of delay of 93 days in preferring the accompanying regular second appeal against the judgment and decree dated 17.01.2019 passed in Title Appeal No.07/2018 by the Court of the learned Civil Judge, Lakhimpur, North Lakhimpur.

2. From a perusal of the instant application, it reveals that on account of certain difficulties which was beyond the control of the applicant, the appeal could not be preferred immediately which led to the delay of 93 days in preferring the accompanying appeal.

3. The grounds and reasons which have been stated at paragraph 5 of the instant application, in the opinion of this Court constitute sufficient cause for condoning the delay of 93 days in preferring the appeal.

4. Accordingly the application stands allowed thereby condoning the delay of 93 days.

5. Registry is directed to register the accompanying regular second appeal and list the matter at the column under Order XLI Rule 11 of the CPC on 13.05.2024.

6. Interlocutory application stands disposed of.

JUDGE

Comparing Assistant