

GAHC010209312023



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

Case No. : I.A.(Crl.)/876/2023

SAMSUL TALUKDAR
S/O ABDUL AWAL TALUKDAR
VILL- BARAGDIA
P.S. BARPETA
DIST. BARPETA, ASSAM

VERSUS

RAMICHA BEGUM
D/O JAMIR ALI
VILL- BAISHA
P.S. SARTHEBARI
DIST. BARPETA, ASSAM
PIN-781307

Advocate for the Petitioner : MR. P RAHMAN, MR S ISLAM

Advocate for the Respondent : MR. N J DUTTA, MR. M M ZAMAN, MR. A BASUMATARY, MR. N AHMED

Linked Case :

SAMSUL TALUKDAR

VERSUS

RAMICHA BEGUM (E)

Advocate for : MR. P RAHMAN

Advocate for : appearing for RAMICHA BEGUM (E)

BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

18.09.2024

1. Heard learned counsel Mr. S. Islam for the petitioner and learned counsel Mr. N. M. Zaman for respondent No. 1.
2. This application has been filed by the petitioner under Section 5 of the Limitation Act, 1963 with prayer for condoning the delay of 115 days in filing the connected Criminal Revision Petition challenging the Judgment and Order dated 13.02.2023, passed by the learned Principal Judge, Barpeta in connection with F.C. Criminal Case No. 189/2022. It is submitted that the delay was not intentional, but due to financial constraints, the revision petition could not be filed within the period of limitation.
3. It is submitted that the petitioner was not negligent. It is submitted that the petitioner has a good case of revision and there is every possibility that on the merits of the case, the petition would be allowed.

4. I have considered the submissions at the Bar with circumspection, as the delay was not intentional, the delay of 115 days is hereby condoned.
5. Office to register the connected Criminal Revision petition.

JUDGE

Comparing Assistant