

GAHC010248522024



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

Case No. : I.A.(Civil)/3606/2024

GAURAV UPADHYAY
S/O LATE SHYAM SUNDAR UPADHYAY, RESIDENT OF GOVT. QUARTER
NO. BII, AT ASSAM POLICE HOUSING COMPLEX, ULUBARI, DIST
KAMRUPM ASSAM 781007

VERSUS

THE STATE OF ASSAM AND 7 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM,
DISPUR ASSAM 781006

2:DIVYANA A LAHAN
REP. BY HER MOTHER/NEXT FRIEND/LEGAL GUARDIAN SMT. LEENA
DOLEY
PERMANENT R/O- H.NO. 54
BELTOLA COLLEGE ROAD
BANGAON
BELTOLA
GHY-28
KAMRUP (M)
ASSAM

3:LEENA DOLEY
R/O- H.NO. 54
BELTOLA COLLEGE ROAD
BANGAON
BELTOLA
GHY-28
KAMRUP (M)
ASSAM

4:THE SECRETARY

DEPARTMENT OF TRIBAL AFFAIRS (PLAIN)
GOVERNMENT OF ASSAM
DISPUR
GUWAHATI-781006
ASSAM.

5:STATE LEVEL CASTE SCRUTINY COMMITTEE
ASSAM

REP. BY ITS CHAIRMAN
OFFICE OF THE SECRETARY
DEPARTMENT OF TRIBAL AFFAIRS (PLAIN)
GOVERNMENT OF ASSAM
DISPUR
GUWAHATI-781006
ASSAM.

6:THE DEPUTY COMMISSIONER
KAMRUP M GUWAHATI ASSAM 781001

7:VIGILANCE CELL

DIRECTORATE OF WPT AND BC DEPTT.
GOVT. OF ASSAM
RUKMINI GAON
GHY
PIN- 781006
REP. BY THE SUPERINTENDENT OF POLICE
CID
ASSAM

8:SUPERINTENDENT OF POLICE

CID
ASSAM
ULUBARI
GHY-0

Advocate for the Petitioner : MR. K P PATHAK, MR BHARGAV DAS,MR. K N CHOUDHURY

Advocate for the Respondent : GA, ASSAM, SC, WPT AND BC,FOR CAVEATOR,G.
GOSWAMI,MR J BORAH,MR H K NATH

Linked Case :

GAURAV UPADHYAY

VERSUS

THE STATE OF ASSAM AND 7 ORS

Advocate for : MR. K P PATHAK
Advocate for : appearing for THE STATE OF ASSAM AND 7 ORS

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

18.12.2024

(K.R. Surana, J)

Heard Mr. K. N. Choudhury, learned Senior Counsel assisted by Mr. D. J. Das, learned counsel for the applicant. Also heard Mr. P. Sarmah, learned Additional Senior government advocate appearing for the respondent Nos. 1 and 6; Ms. G. Goswami, learned counsel appearing for the respondent Nos. 2 and 3 appeared by filing caveat and Mr. R. Dhar, learned Standing Counsel for Tribunal Affairs Department for the respondent Nos. 4, 5, 7 and 8.

2. By filing this interlocutory application, the applicant is seeking condonation of delay of 9 (nine) days beyond the period of limitation in filing the connected appeal.

3. The learned Additional Senior Government Advocate, learned counsel for the respondent nos. 2 and 3 as well as the learned Standing Counsel for the

Tribunal Affairs Department has opposed the prayer on the ground that day to day delay is not satisfactorily explained.

4. Considering the explanation given in paragraph-4 of the application, there was some delay in obtaining the certified copies and that the learned counsel for the applicants had consumed some time to go through the matter, the explanation is accepted as good and sufficient cause that has contributed in delay of filing of this connected appeal.

5. Accordingly, the delay of 9 (nine) days is hereby condoned without issuing notice to the respondents all the respondents are represented.

6. The Registry shall now register the connected appeal and list the same in the admission column.

JUDGE

JUDGE

Comparing Assistant