

GAHC010250962024



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

Case No. : MC/82/2024

MD. SIDDIQUE ALI
S/O LT. NALO ALI L.D. ASSISTANT RETIRED OFFICE OF THE SUB-
REGISTRAR
MUKALMUA R/O VILL- LOHARKATHA P.O. LOHARKATHA
P.S. MUKALMUA DIST.NALBARI
ASSAM.

VERSUS

THE STATE OF ASSAM AND 5 ORS
REP. BY THE COMMISSIONER AND SECRETARY
REVENUE REGISTRATION AND DISASTER MANAGEMENT DEPARTMENT
DISPUR
GUWAHATI- 781006.

2:FINANCE DEPARTMENT

REP. BY THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM
FINANCE DEPARTMENT
DISPUR
GUWAHATI- 781006.

3:THE SECRETARY

PENSION AND PUBLIC GRIEVANCES DEPARTMENT
DISPUR
GUWAHATI- 781006.

4:THE INSPECTOR GENERAL OF REGISTRATION

ASSAM
RUPNAGAR

GUWAHATI- 78 1032.

5:THE DISTRICT REGISTRAR

NALBARI
DIST. NALBARI ASSAM
PIN - 781335.

6:THE ACCOUNT GENERAL
A and E
ASSAM SECTION GE-10
BELTOLA GUWAHATI- 781029.

Advocate for : S K DAS
Advocate for : GA
ASSAM appearing for THE STATE OF ASSAM AND 5 ORS

**BEFORE
HONOURABLE MR. JUSTICE NELSON SAILO**

ORDER

02.12.2024

In view of the Order passed in I.A(Civil) 3663 of 2024 condoning the delay in filing the instant application, the application is taken up for consideration. Mr. R. Islam, learned counsel for the applicant by referring to the application submits that the case was dismissed for default at the stage of hearing. He submits that in view of the illness of the engaged counsel, he could not appear before the Court when the matter was called and therefore, the writ petition was dismissed. The submits that for the fault of the counsel for the applicant/writ petitioner, the petitioner should not be penalized. He submits that otherwise, in view of the bonafide reason of the absence of the appointed counsel at the relevant time, the writ petition may

be restored to file.

Mr. S. Datta, learned counsel appearing for the Revenue, Disaster & Management Department, Ms. A. Sharma, learned counsel appearing on behalf of Mr.B.Chakraborty, learned Standing Counsel, Accountant General, Assam have no objection to the prayer for restoration.

In view of above, the application seeking restoration of the connected writ petition is hereby allowed. Misc. Case stands disposed of.

JUDGE

Comparing Assistant