

GAHC010284482023



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

**Case No. : I.A.(Crl.)/1254/2023**

BIKASH RANJAN DAS  
S/O DR. MANORANJAN DAS  
R/O VILL- KAHARPARA SARUPETA  
P.O. SARUPETA, P.S. PATACHARKUCHI, DIST. BARPETA, ASSAM, PIN-781318

VERSUS

BHANITA KALITA  
W/O SRI BIKASH RANJAN DAS  
R/O HOUSE NO. 18, LALMATI  
NEAR IIE, BYE LANE, GANESHPUR,  
P.O. AND P.S. BASISTHA,  
DIST. KAMRUP (M), ASSAM, PIN-781029

**Advocate for the Petitioner : MR P P MEDHI**

**Advocate for the Respondent :**

Linked Case :

BIKASH RANJAN DAS

VERSUS

BHANITA KALITA

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Advocate for : MR P P MEDHI  
Advocate for : appearing for BHANITA KALITA

**BEFORE  
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI**

**ORDER**

**06.03.2024**

Heard Mr. B.M Choudhury, learned counsel for the applicant.

It appears from the office note dated 04.03.2024 that the sole respondent had refused to accept the notice issued by this Court. Accordingly, this Interlocutory Application is taken up for hearing.

This is an application under Section 5 of the Limitation Act, 1963 by the applicant for praying condonation of delay of 28 days in filing the criminal revision petition against the Order dated 14.08.2023 passed in FC CrI. 589/2022 by the learned Principal Judge, Family Court-II, Guwahati.

The case of the applicant is that he was prevented to file the connected criminal revision petition within the stipulated time for reasons beyond his control.

I have heard the submissions made on behalf of the applicant and also perused the application for condonation of delay.

It appears from paragraph Nos. 2 & 3 of the aforesaid application that the applicant was prevented from filing the revision petition within the stipulated time due to certain misunderstandings between the applicant and the respondent in connection with their attempts to reconcile the matter. It is only after such reconciliation failed, the applicant had filed the connected revision petition. As such, the delay of 28 days occurred in filing the revision petition.

As such, the applicant has shown sufficient cause for not filing the revision petition within the stipulated time.

In view of the above, this Court is of the considered view that the delay of 28 days occurred in filing the criminal revision petition ought to be condoned in the interest of justice.

Accordingly, the delay is condoned.

I.A. is disposed of.

Registry is directed to register and number the connected criminal revision petition and list the same after a week on a date to be fixed by the Registry.

**JUDGE**

**Comparing Assistant**