

GAHC030003652023



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

Case No. : I.A.(Civil)/80/2023

The National Projects Construction Corporation Ltd.
(A Govt. of India Enterprise) r/b its Zonal Manager

VERSUS

1: Smt. Gopa Devi Chakma w/o Doya Ranjan(L) and 717 Ors.
S/o Kamal Kisto, Jarulsury

2:Taroka
W/o Nil Muni Borapansury-I

3:Nilo Ranjan
S/o Kannya Ram Kakmalanagar-II

4:Jorma
D/o Doya Ranjan Jarulsury

5:Sobika
D/o Meya Ranjan Kamalanagar-I

6:Anga Dhan
S/o Kamal Kisto Jarulsury

7:Senci
D/o Doya Ranjan Jarulsury

8:Kamal Kisto
S/o Biro Kumar Jarulsury

9:Kali Prasad
S/o Ashini Kumar Jarulsury

10:Molai Pudi
W/o Dhal Kumar Jarulsury

11:Shanti Lal
S/o Ganga
Ugudasury

12:Guno Muni
S/o Toda
Jarulsury

13:Amulya Dhan
S/o Dai Chand
Jarulsury

14:Sadhanya
S/o Punyaswar
Jarulsury

15:Pukkon
S/o Guno Muni
Jarulsury

16:Ganga Dhah
S/o Budungya
Jarulsury

17:Kina Muni
D/o Sorbua
Jarulsury

18:Moha Rani
W/o Ganeshyam
Nagdarasona

19:Binoy Kanu
S/o Kagendra Lal
Jarulsury

20:Ganga
S/o Baghyo Dhan
Kamalanagar-II

21:Janu
S/o Kogendra Lal
Jarulsury

22:Shanti Kumar
S/o Dhal Chand

23:Asapuron

S/o Shanti Kumar
Gerakuluksora

24:Bana Sova
W/o Krishno Rattan
Jarulsury

25:Gandhi
S/o Sukro Kumar
Jarulsury

26:Juddha Dhan
S/o Doya Mohan
Jarulsury

27:Ganga Dhan
S/o Budungya
Jarulsury

28:Birosen
S/o Purbua
Jarulsury

29:Monga Dhan
S/o Kamal Kisko
Jarulsury

30:Bimanda Kumar
S/o Kamala Kanta
Jarulsury

31:Chandra Sekar
S/o Nalani
Borapansury-I

32:Mirogo Tara
S/o Kalamua
Jarulsury

33:Mena Kumari
W/o Manga Dhan
Jarulsury

34:Kandra
S/o Kamal Kisto
Jarulsury

35:Rashna

W/o Alim Bikash
Borapansury-II

36:Rattua Ram
S/o Maratua
Jarulsury

37:Jama Anguli
D/o Sorbua
Jarulsury

38:Kala Muni
S/o Rattua Ram
Jarulsury

39:Sushil Bikas
S/o Sommunni
Jarulsury

40:Subhas
S/o Rattua Ram
Jarulsury

41:Raja Lokhi
S/o Subash
Jarulsury

42:Debendra
S/o Sigal Muni
Rajmandol

43:Indra Bahu
S/o Rosik Mohan
Jarulsury

44:Indu Kumar
S/o Gul Choga
Ugalsury

45:Gyanamoy
S/o Bhadrasen
Devasora N

46:Jugendra
S/o Sama Charan
Jarulsury

47:Arun Kumar

S/o Babru Bahan
Jarulsury

48:Chibo Rattan
S/o Lokhi Chandra
Jarulsury

49:Chigon Mila
W/o Chibo Rattan
Jarulsury

50:Padha Kumari
W/o Chibo Rattan
Jarulsury

51:Kali Prasad
S/o Ashani Kumar
Jarulsury

52:Anil Prasad
S/o Ashani Kumar
Jarulsury

53:Shanti Kumar
S/o Nara Muni
Jarulsury

54:Lokhi Muni
S/o Helu
Jarulsury

55:Adhai Sur
S/o Biro Kumar
Jarulsury

56:Bimal Kanti
S/o Buddha Munni
Jarulsury

57:Gyana Jyoti
S/o Chibo Rattan
Jarulsury

58:Shanga Kumar
S/o Darakey
Jarulsury

59:Chandra Sushi

W/o Nilo Kanta
Jarulsury

60:Sonati
D/o Susen
Ugudasury (S)

61:Allo Sundoni
W/o Nilo Ranjan
Kamalanagar II

62:Anudra
S/o Birgu Muni
Gerakuluksora

63:Dobona
S/o Doppya
Jarulsury

64:Som Muni
S/o Helu
Gerakuluksora

65:Mailika
W/o Arjun Muni
Jarulsury

66:Anjun Muni
S/o Ranga
Jarulsury

67:Mereya
S/o Taroni Sen
Jarulsury

68:Bar Pallya
S/o Bakta
Jarulsury

69:Shanti Ranjan
S/o Chinta Muni
Jarulsury

70:Jingya
S/o Lokhi Dhan
Jarulsury

71:Aduri

S/o Sunil Baran
Jarulsury

72:Shanti Bihari
S/o Dhal Chand
Jarulsury

73:Shanti Lal
S/o Rajendra
Jarulsury

74:Nilo Banan
S/o Shanti Lal
Jarulsury

75:Anil Banan
S/o Shanti Lal
Jarulsury

76:Sunil Banan
S/o Shanti Lal
Jarulsury

77:Dilip Kumar
S/o Jitendra
Jarulsury

78:Badsha Dhan
S/o R.Chitra Sen
Jarulsury

79:Kushai Kumar
S/o Lolit Kumar
Jarulsury

80:Jashna Maya
W/o Badsha Dhan
Jarulsury

81:Anil Mala
W/o Kitto Chandra
Januldobosoa

82:Amarson
S/o Rongya
Chhtagulsury-I

83:Danjyo

S/o Binlya
Chhtagulsury-I

84:Lakkhan
S/o Krishna Das
Bonoytuly

85:Chanjyo Kumar
S/o Borkuka
Chhtaguisur-I

86:Rajesh
S/o Gunodhan
Dunsora

87:Kalpana
D/o Doya Mohan
Bonaituli

88:Monika
S/o Bijoy Kanti
Kamalanagar-III

89:Zothanliana
S/o Zawthanga
New Jognasury-III

90:Hmangaihsanga
S/o Zowthuma
New Jognasury-II

91:Rananjoy
S/o Kala Chand
Parva-I

92:Bara
S/o Dhananjoy
Kamtuli

93:Suro Naksha
S/o Guna Dhan
Devasora

94:Doya Sova
W/o Adi Chandra
Parva-I

95:Nanda Kumar

S/o Punong Chand
Parva-I

96:Arun Kumar
S/o Lokhi Chandra
Parva-I

97:Gyana
S/o Hok Kana
Kamtuli

98:Chigon Mon
S/o Nua Muni
Devasora

99:Punong Chand
S/o Kala Chand
Kamtuli

100:Doyal Kumar
S/o Kalya
Kamtuli

101:Meyabi
D/o Nishi Ranjan
Parva-I

102:Basanta Kumar
S/o Jubanaksha
Devasora

103:Provat Kusum
S/o Mayour Dajh
Parva-I

104:Mangala Pudhi
W/o Shanti Kumar
Parva-I

105:Urijoy
S/o Dhana Mon
Kamtuli

106:Madhan Kumar
S/o Ananda
Parva-I

107:Mona

S/o Dirgo Shikya
Parva-I

108:Adi Chandra
S/o Aboni Ranjan
Kamtuli

109:Surjyo Kumar
S/o Jagaram
Parva-I

110:Krishna
W/o Tilok Muni
Kamtuli

111:Jorbo Dhan
S/o Rosik Chandra
Parva-I

112:Bubaneswar
S/o Agashtya Muni
Parva-I

113:Bhagyo Dhan
S/o Bimollya
Parva-I

114:Chandra Hangsha
S/o Mongal Dhan
BPS-I

115:Doya Lal
S/o Pottya Kumar
Parva-I

116:Lalmon
S/o Agashtya Muni
Parva-I

117:Sumbuda
S/o Kidangya
Parva-II

118:Purna Jyoti
S/o Megandha
Kamtuli

119:Gutyo

S/o Madhan
Devasora

120:Binanda
S/o Dovana
Parva-I

121:Jostnat Dhan
S/o Kripa Kanta
Kamtuli

122:Kalasoga
S/o Pecera
Parva-I

123:Joyno Mohan
S/o Ashiham
Parva-II

124:Kina Mon
S/o Bannyo
Parva-I

125:Biroda
S/o Samaha
Parva-II

126:Kala Badhi
S/o Robi Dhan
Kamtuli

127:Pottya Ban
S/o Ranjan Mon
Parva-I

128:Kina Ranjan
S/o Kala Maratuo
Parva-I

129:Sanzeilala
S/o Darkupa
Parva-I

130:Ratty Kanta
S/o Bongu
Parva-

For the Applicant(s) : Mr. S. Dutta, Sr. Advocate, assisted by Mr. P. Goswami, Advocate.

For the Respondent(s) : Mr. C. Lalfakzuala, Advocate for respondent Nos.1 to 714.

- B E F O R E -

HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI
HON'BLE MR. JUSTICE MICHAEL ZOTHANKHUMA

16.05.2024

(Vijay Bishnoi, CJ)

The matter comes upon for consideration of the present interlocutory application preferred on behalf of the applicant with a prayer to condone the delay of 1271 days in filling the connected writ appeal.

Learned counsel for the applicant has submitted that a large period when the limitation was expired is covered under the COVID period and the Hon'ble Supreme Court had already condoned the said delay upto 18.03.2022. It is submitted that after 18.03.02022, though there is some delay but the applicant in the additional affidavit filed on 29.02.2024 has tried to explain the said delay. The learned counsel has further submitted that the applicant has no intention to file the connected writ appeal with a delay but on account of some unavoidable circumstances, the delay has been caused, which is purely *bona fide*.

Per contra, learned counsel appearing for the private respondents has opposed the application and has submitted that the applicant has failed to explain the day to day delay in filing the connected writ appeal. It is submitted that even after the period when the limitation is covered as per the Hon'ble Supreme Court upto 18.03.2022, the applicant took more than 500 days for preferring the appeal and for the said period, the delay has not been satisfactorily explained.

Having heard the learned counsel appearing for the parties and after going through the contents of the application, we are of the view that the delay caused in filing the connected writ appeal has been sufficiently explained by the applicant. Hence, the interlocutory application is allowed. Resultantly, the delay of 1271 days

in filing the connected writ appeal is condoned.

As the writ appeal has already been registered, Registry is directed to list the same for admission before the next available Division Bench after 2(two) weeks.

JUDGE

CHIEF JUSTICE

Comparing Assistant