

GAHC020001462024



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

Case No. : I.A.(Civil)/39/2024

SHRI NYANGPONG KONYAK
S/O LATE LONGNA KONYAK
R/O LEANGHA VILLAGE, MON
NAGALAND

VERSUS

TOTOK CHINHNYU VILLAGE COUNCIL AND ANR.
REPRESENTED BY SHRI Y. TONGAM ANGH,
S/O SHRI YANGLEM,
R/O TOTOK CHINGNYU VILLAGE,
MON, NAGALAND 2:THE DEPUTY COMMISSIONER

MON
NAGALAN

For the Applicant(s) : Mr. Chingmei Konyak, Advocate

For the Respondent(s) : Mr. V. Zhimomi, Government Advocate
: Ms. K. Tsukru, Advocate

**BEFORE
HON'BLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

Date : 14.06.2024

Heard Mr. Chingmei Konyak, the learned counsel appearing on behalf of the Applicant and Ms. K. Tsukru, the learned counsel appearing on behalf of the Respondent No.1.

I have also heard Mr. V. Zhimomi, the learned Government Advocate appearing on behalf of the Respondent No.2.

2. This is an application filed under Section 5 of the Limitation Act, 1963 for condoning the delay of 42 days in filing the accompanying appeal against the judgment and order dated 15.11.2023 whereby the appeal was dismissed on the ground that the Court of the learned District Judge, Mon did not have the jurisdiction to exercise powers under Rule 31 of the Rules for the Administration of Justice and Police in Nagaland, 1937.

3. This Court after hearing the learned counsels for the Applicants as well as the Respondents and also perusing the contents of the instant application is of the opinion that the sufficient cause has been disclosed within the meaning of Section 5 of the Limitation Act, 1963.

4. Accordingly, the I.A. stands allowed thereby condoning the delay of 42 days.

Sd/-

JUDGE

Comparing Assistant