

GAHC020001422024



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

**Case No. : I.A.(Civil)/113/2023**

SHRI SHETSOYI CHIZO  
REPRESENTED BY ITS CHAIRMAN

PERMANENET R/O KHUTSOKHUNO VILLAGE  
PHEK

NAGALAND

VERSUS

SHRI CHEKHUVE VESWU  
S/O LT. VESUYI VESWU

PERMANENT R/O KHUTSOKHUNO VILLAGE  
PHEK

NAGALAND

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Advocate for : ELIVIL ZAO  
Advocate for : appearing for SHRI CHEKHUVE VESWU

Linked Case : C. REVN/12/2023

SHRI SHETSOYI CHIZO

REPRESENTED BY ITS CHAIRMAN

PERMANENT R/O KHUTSOKHUNO VILLAGE  
PHEK  
NAGALAND

VERSUS

SHRI CHEKHUVE VESWU  
CHEKHUVE VESWU

S/O LT. VESUYI VESWU

PERMANENT RESIDENT OF KHUTSOKHUNO VILLAGE  
PHEK  
NAGALAND

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Advocate for : ELIVIL ZAO  
Advocate for : appearing for SHRI CHEKHUVE VESWU

**BEFORE  
HON'BLE MR. JUSTICE BUDI HABUNG**

**ORDER**

**09.05.2024**

Heard Mr. Elivil Zao, learned counsel for the petitioner.

The learned counsel for the petitioner has filed an affidavit to show that he has taken steps for causing service of notice upon the respondent by way of substituted mode through paper publication in two dailies i.e. Nagaland Post (English) and Capi (local) on 2.4.2024 by annexing the original newspaper publication.

I have perused the same.

However, no one appears on behalf of the sole respondent.

The record reveals that in earlier occasion also the applicant has taken steps upon the respondent, but the respondent is reported to have refused to accept the notice because of which the petitioner has caused service of notice upon the respondent by substituted mode by paper publication.

In view of above, notice upon the respondent is treated to have been complete.

This is an application under section 5 of the Indian Limitation Act, 1963 praying for condonation of delay of 96 days in filing the connected civil revision.

The ground of delay in filing the connected civil revision has been stated at paragraph 6 of the application. The applicant has shown sufficient cause for not filing the civil revision petition within the stipulated time. Moreover, since the respondent has failed to appear despite receipt of notice through newspaper publication, it is presumed that the respondent is aware of the case and he has no objection.

In view of the above, the delay of 96 days in filing the connected Review Petition is hereby condoned.

The I.A. stands allowed and disposed of.

Sd/-  
**JUDGE**

**Comparing Assistant**