GAHC010166302026

undefined

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

Case No. : I.A.(Civil)/3193/2026

BASER ALI AND 2 ORS.
S/O- LT. SEKENDAR, RESIDENT OF VILL- GHENAMARI, P.S.- KHARUPETIA,
P.S.- MANGALDAI, DIST- DARRANG, ASSAM

2: MASEDA KAHATUN
D/O BASER ALI
RESIDENT OF VILL- GHENAMARI
P.S.- KHARUPETIA
P.S.- MANGALDAI
DIST- DARRANG
ASSAM

3: MAJEDA BEGUM
D/O BASER ALI
W/O ABUCHAMA ALI
RESIDENT OF VILL- GHENAMARI
P.S.- KHARUPETIA
P.S.- MANGALDAI
DIST- DARRANG
ASSA

VERSUS

THE UNION OF INDIA
REPRESENTED BY GENERAL MANAGER, WEST CENTRAL RAILWAY.

Advocate for the Petitioner : MR M AHMED, MR A. ALI,N. CHOUDHURY,A. K. KANU

Advocate for the Respondent : DY.S.G.I., MR. C K S BARUAH(C.G.C.)

Linked Case : MACApp./0/0

BASER ALI
S/O- LATE. SEKENDAR

2: MASEDA KHATUN
D/O- BASER ALI

3: MAJEDA BEGUM
D/O- BASER ALI W/O- ABUCHAMA ALI ALL ARE RESIDENTS OF VILL- GHENAMARI
P.SKHARUPETIA
DIST- DARRANG ASSAM

VERSUS

THE UNION OF INDIA

REPRESENTED BY GENERAL MANAGER
WEST CENTRAL RAILWAY.

Advocate for : MUZAMIL AHMED
Advocate for : appearing for THE UNION OF INDIA

BEFORE

HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

07.10.2026

1. Heard Mr. M Ahmed, learned counsel for the applicants. None has appeared for the opposite parties, though the name of Central Government Counsel Mr. CKS Baruah has been shown as engaged counsel for the opposite parties.

2. Since none has appeared, this court intends to proceed with the case against the opposite parties.

3. This application has been filed by the petitioners, Baser Ali, Maseda Khatun and Majeda Begum under Section 5 of the Limitation Act, 1963 praying for condonation of delay of 31 days in filing the connected MFA, wherein the judgment dated 29.04.2026 passed by the Railway Claims Tribunal, Guwahati Bench in OA IIu-55/2025 is impugned.

4. The learned counsel for the applicants has submitted that the reason for delay has been stated in paragraph No. 3 of the instant interlocutory application.

5. I have gone through the grounds stated in the instant application as well as considered the submission made by the learned counsel for the applilcants.

6. Upon considering the ground stated in paragraph No. 3 of the instant application, this court is of the opinion that the present applicants are prevented by sufficient cause in filing the connected MFA within the prescribed period of limitation. As such, the delay of 31 days in filing the connected MFA is hereby condoned and the present interlocutory application stands allowed.

7. The Registry is directed to register the connected MFA and list the same

for admission after a week on a date to be fixed by the Registry.

JUDGE

Comparing Assistant