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

Case No. : I.A.(Civil)/3024/2026

THE SONAPUR TEA CO PVT LTD
HAVING ITS REGISTERED OFFICE AT 61-B, PARK STREET 2-B NEELAM, KOLKATA-700016 AND ONE OF ITS PLACES OF BUSINESS AT SONAPUR TEA ESTATE, P.O.-SONAPUR, KAMRUP M, ASSAM, PIN-782402, REPRESENTED BY ITS POWER OF ATTORNEY HOLDER SRI AJAY KUMAR PAUL.

VERSUS

SRI PRATAP DEY
SON OF LATE PRABHAT CHANDRA DEY, RESIDENT OF VILLAGE-BARUAHBARI, SIYALEKHAITI ROAD, P.O.-SONAPUR, KAMRUP M, ASSAM, PIN-782402.

2:SRI ALAK DEY
SON OF LATE PRABHAT CHANDRA DEY
RESIDENT OF VILLAGE-BARUAHBARI
SIYALEKHAITI ROAD
P.O.-SONAPUR
KAMRUP M
ASSAM
PIN-782402

Advocate for the Petitioner : MR. M KHATANIAR, MR. J DEKA

Advocate for the Respondent : MR. N HAQUE(R1,2), MR M HUSSAIN(R1,2),MR. A K AZAD(R1,2)

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN
ORDER

04.11.2026

Heard Mr. J. Deka, learned counsel for the applicant and Mr. N. Haque, learned counsel for the opposite party Nos. 1 & 2.

2. This application, under Section 5 of the Limitation Act, is preferred by the applicant for condoning the delay of 84 days in preferring the connected review petition.

3. Mr. Deka, learned counsel for the applicant, submits that the order, in CRP (IO) No. 111/2026, was passed on 27.04.2026 and applicant came to know about the same only on 17.06.2026. Mr. Deka further submits that the cause of delay has sufficiently been explained in this matter and that there is merit in the review petition and under such circumstances, he has contended to allow this application.

4. Per-contra, Mr. Haque, learned counsel for the opposite party Nos. 1 & 2, submits that he has filed one objection and according to him, the delay has not sufficiently been explained.

5. Having heard the submissions of learned counsel for both the parties, this Court has carefully gone through the application as well as the documents placed on record and also perused the averments made in the application.

6. It appears that the applicant came to know about the order on 17.06.2026 and it also appears that the applicant has sufficiently explained the delay of 84 days in preferring the connected review petition.

7. Therefore, this court is inclined to allow this application and accordingly, the delay of 84 days in filing the review petition, stands condoned.

8. In terms of above, this IA stands closed.

9. Now, the registry shall register the review petition and list the same before this Court on 16.11.2026.

JUDGE

Comparing Assistant