GAHC020008002026

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

Case No. : I.A.(Civil)/259/2026

SHRI K.L. GUPTA
S/O LATE RAM NAGINA, LHOMITHI COLONY, DIMAPUR,
NAGALAND

VERSUS

THE DEPUTY COMMISSIONER, DIMAPUR AND 6 ORS
DIMAPUR, NAGALAND

2:THE DISTRICT LAND RECORD AND SURVEY OFFICER
DIMAPUR
NAGALAND

3:SHRI SUMIT KUMAR JAIN
MARWARI PATTY
G.S. ROAD
DIMAPUR
NAGALAND - 797112

4:SHRI AMIT KUMAR JAIN
MARWARI PATTY
G.S. ROAD
DIMAPUR
NAGALAND - 797112

5:SHRI GIRDHARI LAL SHARMA
C/O BAJARANG BHANDAR
G.S. ROAD
DIMAPUR
NAGALAND - 797112

6:SHRI VINOD KUMAR SHARMA
M/S KHANDELWAL TRADING CO. G.S. ROAD DIMAPUR
NAGALAND - 797112

7:DR. SUNDAR LAL PAREEK
C/O BAJRANG BHANDAR
G.S. ROAD
DIMAPUR
NAGALAND

Advocate for the Petitioner : ALIBA OZUKUM,

Advocate for the Respondent : ,

Linked Case : C. REVN/11/2026

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NAGALAND.

Advocate for : ALIBA OZUKUM
Advocate for : appearing for THE DEPUTY COMMISSIONER
DIMAPUR AND 6 ORS

BEFORE
HON'BLE MR. JUSTICE PRANJAL DAS

ORDER

10-11-2026

Heard Mr. Aliba Ozukum, learned counsel for the applicant. Also heard Mr. Imti Imsong, learned Additional AG for the respondent Nos. 1 and 2 and Mr. M. Vero, learned counsel for the respondent Nos. 3 to 7.

The instant interlocutory application has arisen out of an application under section 5 of the Limitation Act, 1963 seeking condonation of delay of 72 days in preferring the accompanying civil revision which is stated to be filed against the impugned order dated 30.03.2026, passed by the Deputy Commissioner, Dimapur.

Mr. Imti Imsong, learned Additional AG appearing on behalf of the respondent Nos. 1 and 2 fairly submits that the State has no objection to the delay condonation.

Mr. M. Vero, learned counsel for the respondent Nos. 3 to 7 also submits that he has no objection to condoning the delay and taking up the civil revision petition on merits.

It is submitted that the grounds of delay are adduced in paragraphs 3, 4, 5 and 6 of the application. In a nutshell, it is contended that the proceedings was initially filed as first appeal but later withdrawn upon realization of having being filed under a wrong provision. Subsequently, the civil revision filed was also withdrawn with liberty to file afresh. It is contended that there is no negligence and that the delay is inadvertent.

Considering the quantum of delay, the grounds of delay given and the no objection of the learned counsel for the respondents, the delay of 72 days is condoned in exercise of powers under section 5 of the Limitation Act.

The IA stands allowed and disposed of.

JUDGE

Comparing Assistant