

GAHC010010002017



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

Case No. : I.A.(Civil)/109/2017

EMPLOYEE'S STATE INSURANCE CORPORATION and ANR
REGIONAL OFFICE NORTH EASTERN REGION, PANCHADEEP BHAWAN,
BAMUNIMAIDAN, GUWAHATI-21

2: THE ASSTT. DIRECTOR

EMPLOYEE'S STATE INSURANCE CORPORATION NORTH EASTERN
REGION
PANCHADEEP BHAWAN
BAMUNIMAIDAN
GUWAHATI-2

VERSUS

M/S NILACHAL DISTILLERY PVT. LTD.
PATGAON ROAD, PATGAON, RANI, GUWAHATI-15

Advocate for the Petitioner : MR.A J GHOSH

Advocate for the Respondent :

Linked Case :

EMPLOYEES STATE INSURANCE CORPORATION and ANR

VERSUS

M/S NILACHAL DISTILLERY PVT LTD and 3 ORS

Advocate for :
Advocate for : appearing for M/S NILACHAL DISTILLERY PVT LTD and 3 ORS

**BEFORE
HONOURABLE MR. JUSTICE BUDI HABUNG**

ORDER

Date : 21-02-2024

Mr. M. Smith, learned counsel for the applicants submits that he has taken steps upon the sole respondent by paper publication in two newspapers on 23.11.2023, i.e., one in the "The Assam Tribune" and the other one in "Amar Axom" and submitted an affidavit to that effect. However, no one appears on behalf of the sole respondent.

In view of the above, notice upon the sole respondent is deemed to be completed.

The applicant filed this application under section 5 of the Limitation Act praying for condonation of the delay of 37 days in filing the connected appeal against the judgment and order dated 12.08.2016 passed by the E.I. Court in ESI case no.11/2014 .

The cause of the delay has been explained in para 5 of the application. The explanation given in the said paragraph constitutes a sufficient cause for delay in filing the appeal and as such, there was no laches and negligence on the part of the applicant. As such, the delay of 37 days in filing the appeal against the judgment and order dated 12.08.2016 passed by the E.I. Court in ESI case no.11/2014 is hereby condoned.

With the above observation, this IA stands allowed and disposed of.
The Registry shall register the appeal and list it for admission.

JUDGE

Comparing Assistant