

GAHC010050212025



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

Case No. : I.A.(Civil)/770/2025

JITAMONI DAS
W/O LATE DWIP NARAYAN DAS,
RESIDENT OF VILLAGE MOLIGAON, PO BOITAMARI, PS ABHAYAPURI,
DIST BONGAIGAON, ASSAM 783389

2: DAISY BORUAH
D/O LATE DWEIP NARAYAN DAS

W/O MONOJ BORUAH

C/O JITAMONI DAS

RESIDENT OF VILLAGE MOLIGAON
PO BOITAMARI
PS ABHAYAPURI
DIST BONGAIGAON
ASSAM 783389

3: DIMPY ADHIKARY

D/O LATE DWEIP NARAYAN DAS

W/O MONOJ BORUAH

C/O JITAMONI DAS

RESIDENT OF VILLAGE MOLIGAON
PO BOITAMARI
PS ABHAYAPURI
DIST BONGAIGAON
ASSAM 783389

4: LILY DAS
D/O LATE DWIP NARAYAN DAS

W/O MONOJ BORUAH

C/O JITAMONI DAS

RESIDENT OF VILLAGE MOLIGAON
PO BOITAMARI
PS ABHAYAPURI
DIST BONGAIGAON
ASSAM 78338

VERSUS

THE STATE OF ASSAM AND ANR
REP. BY THE DEPUTY COMMISSIONER CUM DISTRICT COLLECTOR,
BONGAIGAON, ASSAM, 783380

2:THE UNION OF INDIA

REPRESENTED BY THE GENERAL MANAGER (CONSTRUCTION) NF
RAILWAY
MALIGAON
GUWAHATI PO GOTANAGAR
DIST KAMRUP M ASSAM 78101

Advocate for the Petitioner : MS F INTAZ, MR. W A SHEIKH,MR. M A SHEIKH

Advocate for the Respondent : GA, ASSAM, SC, NF RLY

BEFORE
HON'BLE MR. JUSTICE ROBIN PHUKAN
ORDER

21.03.2025

Heard Ms F Intaz, learned counsel for the applicants and Ms A Deka, learned counsel appearing on behalf of Ms R Devi, learned counsel for the respondent No. 2 and Ms K Phukan, learned counsel for the respondent No. 1.

2. This application under Section 5 of the Limitation Act, is preferred by the applicants for condonation of delay of 720 days as on 20.12.2024, in filing the LA Appeal. .

3. The learned counsel for the respondent No. 2, submits that she has not been furnished with a copy of this interlocutory application and as such, she has prayed for directing the applicant for furnishing a copy of the application and grant her some time to file objection.
4. Prayer is allowed.
5. Learned counsel for the applicant shall furnish a copy of the application to the learned counsel for the respondent No. 2, within two working days from today.
6. Ms Phukan, learned counsel for the respondent No. 1 submits that she has not received the copy of the LA Appeal.
7. Learned counsel for the applicant is directed to furnish a copy of the LA Appeal to Ms Phukan, learned counsel for the respondent No. 1, within two working days from today.
8. Registry shall list the matter after 2 (two) weeks.

JUDGE

Comparing Assistant