

GAHC010057562026



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

**Case No. : I.A.(Civil)/2002/2026**

ABHIJIT SARMAH  
S/O LATE DUGDHA SARMAH  
R/O RAJAMAIDAM  
JORHAT TOWN  
P.O.- JORHAT  
DISTRICT- JORHAT ASSAM  
PIN- 785001

VERSUS

UTPAL DAS AND 16 ORS  
S/O LATE LALIT CH. DAS  
R/O HOUSE NO. 3  
AUGUST KRANTI PATH  
BELTOLA  
GUWAHATI- 781028  
ASSAM

2:JITU DAS  
S/O LATE UPENDRA NATH DAS  
C/O SRI JITU DAS  
HOUSE NO. 4  
BY LANE NO. 4  
ANIL NAGAR  
BHANGAGARH  
GUWAHATI-781005  
ASSAM

3:JINU DAS  
S/O LATE UPENDRA NATH DAS  
C/O SRI JITU DAS  
HOUSE NO. 4

BY LANE NO. 4  
ANIL NAGAR  
BHANGAGARH  
GUWAHATI-781005  
ASSAM

4:ANJAN DAS  
S/O LATE UPENDRA NATH DAS  
C/O SRI JITU DAS  
HOUSE NO. 4  
BY LANE NO. 4  
ANIL NAGAR  
BHANGAGARH  
GUWAHATI-781005  
ASSAM

5:DEEPAK DAS  
S/O LATE UPENDRA NATH DAS  
C/O SRI JITU DAS  
HOUSE NO. 4  
BY LANE NO. 4  
ANIL NAGAR  
BHANGAGARH  
GUWAHATI-781005  
ASSAM

6:RAJAN DAS  
S/O LATE UPENDRA NATH DAS  
C/O SRI JITU DAS  
HOUSE NO. 4  
BY LANE NO. 4  
ANIL NAGAR  
BHANGAGARH  
GUWAHATI-781005  
ASSAM

7:SMTI JABA DAS  
D/O LATE UPENDRA NATH DAS  
C/O SRI JITU DAS  
HOUSE NO. 4  
BY LANE NO. 4  
ANIL NAGAR  
BHANGAGARH  
GUWAHATI-781005  
ASSAM

8:SMTI. SHILA BORA  
D/O LATE LABANYA BARUAH

C/O SMTI. SHILA BORA PRABHAKAR  
HOUSE NO. 2  
BY LANE NO.- 2  
K.P. BARUAH ROAD  
KRISHNA NAGAR  
CHANDMARI  
GUWAHATI- 781003  
ASSAM

9:PRANAB BARUAH  
S/O LATE LABANYA BARUAH  
C/O SMTI. SHILA BORA PRABHAKAR  
HOUSE NO. 2  
BY LANE NO.- 2  
K.P. BARUAH ROAD  
KRISHNA NAGAR  
CHANDMARI  
GUWAHATI- 781003  
ASSAM

10:PRAHALLAD BARUAH  
S/O LATE LABANYA BARUAH  
C/O SMTI. SHILA BORA PRABHAKAR  
HOUSE NO. 2  
BY LANE NO.- 2  
K.P. BARUAH ROAD  
KRISHNA NAGAR  
CHANDMARI  
GUWAHATI- 781003  
ASSAM

11:SMTI. NIAL MEHATA  
D/O LATE LABANYA BARUAH  
C/O SMTI. SHILA BORA PRABHAKAR  
HOUSE NO. 2  
BY LANE NO.- 2  
K.P. BARUAH ROAD  
KRISHNA NAGAR  
CHANDMARI  
GUWAHATI- 781003  
ASSAM

12:SMTI. MALA BARUAH  
D/O LATE LABANYA BARUAH  
C/O SMTI. SHILA BORA PRABHAKAR  
HOUSE NO. 2  
BY LANE NO.- 2  
K.P. BARUAH ROAD

KRISHNA NAGAR  
CHANDMARI  
GUWAHATI- 781003  
ASSAM

13:DADUL NAYAK @ SUSANTA NAYAK  
S/O LATE MONIKA NAYAK  
C/O SRI DADUL NAYAK @ SUSUNTA NAYAK  
HOUSE NO. 3  
SURAJ BY LANE  
SEWALAI PATH  
HATIGAON  
GUWAHATI- 781038

14:SMTI. MALATI BARUAH  
D/O LATE MONIKA NAYAK  
C/O SRI DADUL NAYAK @ SUSUNTA NAYAK  
HOUSE NO. 3  
SURAJ BY LANE  
SEWALAI PATH  
HATIGAON  
GUWAHATI- 781038

15:MRIDULA PABAN JOON  
S/O PONA DUTTA  
R/O NEAR RAJAMAIDAM  
RAJAMAIDAM ROAD  
P.O.- JORHAT  
DIST- JORHAT  
ASSAM  
PIN- 785001

16:SMTI. MINA THAKUR  
W/O ASWINI THAKUR  
R/O NEAR RAJAMAIDAM  
RAJAMAIDAM ROAD  
P.O.- JORHAT  
DIST- JORHAT  
ASSAM  
PIN- 785001

17:SMTI. MANJULA GOSWAMI  
W/O SRI ANIL BORTHAKUR  
R/O NEAR RAJAMAIDAM  
RAJAMAIDAM ROAD  
P.O.- JORHAT  
DIST- JORHAT  
ASSAM

PIN- 785001

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Advocate for : MR. P SAIKIA  
Advocate for : appearing for UTPAL DAS AND 16 ORS

Linked Case : ITREF(A)/0/0

ABHIJIT SARMAH  
SO LATE DUGDHA SARMAH RO RAJAMAIDAM JORHAT TOWN PO JORHAT  
DISTRICT JORHAT ASSAM PIN 785001

VERSUS

UTPAL DAS  
LATE LALIT CH DAS RO HOUSE NO 3 AUGUST KRANTI PATH BELTOLA  
GUWAHATI 781028 ASSAM

2:JITU DAS  
SO LATE UPENDRA NATH DAS HOUSE NO 4 BYLANE NO 4 ANIL NAGAR  
BHANGAGARH GUWAHATI 781005 ASSAM

3:JINU DAS  
SO LATE UPENDRA NATH DAS HOUSE NO 4 BYLANE NO 4 ANIL NAGAR  
BHANGAGARH GUWAHATI 781005 ASSAM

4:ANJAN DAS  
SO LATE UPENDRA NATH DAS HOUSE NO 4 BYLANE NO 4 ANIL NAGAR  
BHANGAGARH GUWAHATI 781005 ASSAM

5:DEEPAK DAS  
SO LATE UPENDRA NATH DAS HOUSE NO 4 BYLANE NO 4 ANIL NAGAR  
BHANGAGARH GUWAHATI 781005 ASSAM

6:RANJAN DAS  
SO LATE UPENDRA NATH DAS HOUSE NO 4 BYLANE NO 4 ANIL NAGAR  
BHANGAGARH GUWAHATI 781005 ASSAM

7:JABA DAS  
DO LATE UPENDRA NATH DAS HOUSE NO 4 BYLANE NO 4 ANIL NAGAR  
BHANGAGARH GUWAHATI 781005 ASSAM

8:SHILA BORA  
DO LATE LABANYA BARUAH PRABHAKAR HOUSE NO 2 BYLANE NO 2 KP  
BARUAH ROAD KRISHNA NAGAR CHANDMARI GUWAHATI 781003 ASSAM

9:PRANAB BARUAH  
SO LATE LABANYA BARUAH PRABHAKAR HOUSE NO 2 BYLANE NO 2 KP  
BARUAH ROAD KRISHNA NAGAR CHANDMARI GUWAHATI 781003 ASSAM

10:PRAHALLAD BARUAH  
SO LATE LABANYA BARUAH PRABHAKAR HOUSE NO 2 BYLANE NO 2 KP  
BARUAH ROAD KRISHNA NAGAR CHANDMARI GUWAHATI 781003 ASSAM

11:NILA MEHETA  
DO LATE LABANYA BARUAH PRABHAKAR HOUSE NO 2 BYLANE NO 2 KP  
BARUAH ROAD KRISHNA NAGAR CHANDMARI GUWAHATI 781003 ASSAM

12:MALA BARUAH  
DO LATE LABANYA BARUAH PRABHAKAR HOUSE NO 2 BYLANE NO 2 KP  
BARUAH ROAD KRISHNA NAGAR CHANDMARI GUWAHATI 781003 ASSAM

13:DADUL NAYAK  
SO LATE MONIKA NAYAK HOUSE NO 3 SURAJ BY LANE SEWALAI PATH  
HATIGAON GUWAHATI 781038 ASSAM

14:MALATI BARUAH  
DO LATE MONIKA NAYAK HOUSE NO 3 SURAJ BY LANE SEWALAI PATH  
HATIGAON GUWAHATI 781038 ASSAM

15:MRIDUL PABAN JOON  
SO PONA DUTTA NEAR RAJANAIDAM RAJAMAIDAM ROAD PO JORHAT  
DISTRICT JORHAT ASSAM PIN 785001

16:MINA THAKUR  
WO ASWINI THAKUR NEAR RAJANAIDAM RAJAMAIDAM ROAD PO  
JORHAT DISTRICT JORHAT ASSAM PIN 785001

17:ANIL BORTHAKUR  
WO SRI ANIL BORTHAKUR NEAR RAJANAIDAM RAJAMAIDAM ROAD PO  
JORHAT DISTRICT JORHAT ASSAM PIN 785001

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Advocate for : SINORITA DEB  
Advocate for : appearing for UTPAL DAS

**BEFORE  
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI**

**ORDER**

**17.06.2026**

Heard Mr. M K Sharma, learned counsel for the applicant.

By way of this interlocutory application under Section 5 of the Limitation Act, 1963, the applicant is seeking condonation of delay of 1337 days in filing the connected Regular First Appeal.

Issue **Notice**, returnable by **10.08.2026**.

Applicant shall take steps for service of notice upon the respondents by Speed Post, within three working days from today.

List accordingly on **10.08.2026**.

**JUDGE**

**Comparing Assistant**