

GAHC010072502023



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

Case No. : I.A.(Civil)/1594/2023

PAVAN CHANGMAI
PROPRIETOR OF M/S PAVAN CHANGMAI, RESIDENT OF MANCUTTA ROAD,
PO, PS AND DIST DIBRUGARH, ASSAM

VERSUS

STATE BANK OF INDIA AND 2 ORS.
A BODY CORPORATE, CONSTITUTE UNDER THE STATE BANK OF INDIA
ACT 1955 CARRYING OUT BUSINESS OF BANKING, HAVING ITS CENTRAL
OFFICE AT STATE BANK OF BHAVAN, P.B NO. 12, MADAME CAMERON ROAD,
NEW ADMINISTRATIVE BUILDING, NARIMAN POINT, MUMBAI 400021,
HAVING ITS BRANCHES AMONGST OTHERS AT DIBRUGARH THANA
CHARIALI, PO DIBRUGARH, ASSAM

3: BRAHMAPUTRA VALLEY FERTILIZER CORPORATION LTD.
A GOVT. OF INDIA UNDERTAKINGS INCORPORATED UNDER THE
COMPANIES ACT
1956
ENGAGED IN PRODUCTION
SALE AND SUPPLY OF NITROGENOUS FERTILIZER
HAVING ITS CORPORATE OFFICE AT NAMRUP
PO PARTBATPUR
DIST DIBRUGARH
ASSAM

Advocate for the Petitioner : MR. P K ROY, MR J K PARAJULI, MS. M DUTTA, MRS. A
CHAKRABORTY, MR. S K CHAKRABORTY

Advocate for the Respondent : ,

**BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA**

ORDER

Date : 24.02.2026

- 1.** Heard Mr. S. K. Chakraborty, learned counsel for the applicant.
- 2.** This application was directed to be proceeded *ex-parte* against the respondents by order dated 16.02.2026. Today also none has appeared for the respondents.
- 3.** This interlocutory application has been filed by the applicant praying for condonation of delay of 147 days in preferring the connected regular first appeal whereby the applicant has impugned the judgment and decree dated 12.07.2022, passed in Title Suit No. 72/2016, by the Court of learned Civil Judge, Dibrugarh.
- 4.** The learned counsel for the applicant has submitted that the applicant could not prefer the connected appeal within the prescribed period of limitation as he met with an accident, wherein he suffered serious injuries on his person, which restricted his movement. He further submits that the applicant has fully explained the cause of delay in paragraph No. 3 of the instant interlocutory application.
- 5.** I have gone through the statement made in the instant interlocutory application.
- 6.** After going through the reasons shown by the applicant in paragraph No. 3 of the instant interlocutory application, it appears that the applicant has shown sufficient cause which had prevented him in approaching the court for filing the connected appeal within the prescribed period of limitation.
- 7.** Accordingly, this interlocutory application is allowed and the delay of 147 days in preferring the connected appeal is hereby condoned.
- 8.** The Registry is directed to register the connected appeal and list the

same for admission after a week on a date to be fixed by it.

9. This interlocutory application is accordingly disposed of.

JUDGE

Comparing Assistant