

GAHC010091142025



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

Case No. : I.A.(Civil)/1859/2025

ABU TAHIRUD DOZA
S/O LATE ABU HASANUD DOZA, R/O VILL. GERAMARI PART-I, P.O.
GERAMARI, P.S. GAURIPUR, DIST. DHUBRI, ASSAM.

VERSUS

EVANITY DHAR @ AQSA AHMED
D/O LATE WIKING SUCHIANG, R/O HOSUE NO. 55, MULIEH, PWD ROAD,
MAWKYNDENG, JOWAI, WEST JAINTIA HILLS, LASKEIN, P.O. AND P.S.
JOWAI, DIST. WEST JAINTIA HILLS (MEGHALAYA), PIN 793150
OFFICE ADDRESS-
EVANITY DHAR @ AQSA AHMED,
W/C KHALASI, O/O THE SDO , PHE ELECTRICAL SUB DIVISION, JOWAI,
P.O. AND P.S. JOWAI, DIST.WEST JAINTIA HILLS (MEGHALAYA), PIN 793150

Advocate for the Petitioner : MR M A ISLAM, MR J I MONDAL

Advocate for the Respondent : MR P P MEDHI, MR G BARGAYARY,Z HAQUE

BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA

ORDER

Date : 19.01.2026

- 1.** Heard Mr. M. A. Islam, learned counsel for the applicant. Also heard Mr. G. Bargayary, learned counsel for the sole respondent.
- 2.** This application under Section 5 of the Limitation Act, 1963 has been

filed by the applicant for condoning the delay of 121 days in preferring the connected First Appeal against Order wherein the order dated 27.09.2024 passed by the Principal Judge, Family Court, Dhubri in F.C. Misc. (G) Case No. 3/2024 has been impugned.

3. The learned counsel for the applicant has submitted that the cause for delay in approaching this Court for filing the connected appeal has been stated in paragraph Nos. 2 and 3 of the said application and said reasons may be regarded as sufficient cause which prevented the applicant from approaching this Court within prescribed period of limitation, hence, he prays for condoning the delay of 121 days.

4. On the other hand, Mr. G. Bargayary, learned counsel for the sole respondent submits that considering the grounds stated in his application which has caused the delay, he does not have any objection if the said delay is condoned by this Court.

5. Considering the submissions made by the learned counsel for the parties as well as the grounds stated in paragraph Nos. 2 and 3 of the instant interlocutory application to be sufficient ground which prevented the applicant from approaching this Court within the prescribed period of limitation, the delay of 121 days in preferring the connected appeal is hereby condoned and this interlocutory application is allowed.

6. The Registry is directed to register the connected FAO and list the same on 4th of February, 2026.

JUDGE

Comparing Assistant