

GAHC010255692022



2026:GAU-AS:698

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

Case No. : I.A.(Civil)/3775/2022

UNION OF INDIA AND ANR.
REPRESENTED BY THE SECRETARY TO THE GOVT. OF INDIA, MINISTRY
OF CIVIL AVIATION, RAJIV GANDHI BHAWAN, SAFDARJUNG AIRPORT,
NEW DELHI 110003

2: THE DIRECTOR GENERAL OF CIVIL AVIATION

AN OFFICE UNDER THE MINISTRY OF CIVIL AVIATION
HAVING ITS HEADQUARTER AT OPP. SAFDARJUNG AIRPORT
NEW DELHI 110003 AND HAVING ONE OF ITS TEN SUB REGIONAL
OFFICES SITUATED AT GUWAHATI
REPRESENTED BY ITS DIRECTOR GENERAL

VERSUS

BISTILLA SAWKMIE AND 8 ORS.
W/O LATE SHROLENSON MARBANIANG, RESIDENT OF MAIDAVELLA
CELEVE COLONY, SHILLONG 3

2:MRS. DENMARKIS SAWKMIE
D/O LATE SHROLENSON MARBANIANG
RESIDENT OF MAIDAVELLA CELEVE COLONY
SHILLONG 3

3:MRS. RUSSEL SAWKMIE
D/O LATE SHROLENSON MARBANIANG
RESIDENT OF MAIDAVELLA CELEVE COLONY
SHILLONG 3

4:MRS. CANNIE FRACIS SAWKMIE
S/O LATE SHROLENSON MARBANIANG
RESIDENT OF MAIDAVELLA CELEVE COLONY
SHILLONG 3

5:MR. SUNSHINE SAWKMIE
S/O LATE SHROLENSON MARBANIANG
RESIDENT OF MAIDAVELLA CELEVE COLONY
SHILLONG 3

6:MR. COLLINSTAR SAWKMIE
S/O LATE SHROLENSON MARBANIANG
RESIDENT OF MAIDAVELLA CELEVE COLONY
SHILLONG 3

7:THE AIRPORT AUTHORITY OF INDIA
AN AUTHORITY CONSTITUTED UNDER THE PROVISION OF AIRPORT
AUTHORITY OF INDIA ACT
1994 AND HAVING ITS HEADQUARTER SITUATED AT RAJIV GANDHI
BHAWAN
SAFDARJUNG AIRPORT
NEW DELHI 110003 AND ONE OF ITS REGIONAL OFFICE SITUATED AT
GOPINATH BORDOLOI INTERNATIONAL AIRPORT
BORJHAR
GUWAHATI
REPRESENTED BY ITS CHAIRMAN

8:PAWANHANS LIMITED (ERSTWHILE PAWAN HANS HELICOPTERS LTD.)
A GOVT. COMPANY INCORPORATED UNDER THE COMPANIES ACT
1956 AND HAVING HEADQUARTER SITUATED AT SAFDARJUNG AIRPORT
NEW DELHI 110003 AND BRANCH OFFICE AT SOS ROAD
BORJHAR
GUWAHATI
ASSAM
781015
REPRESENTED BY SHRI AKSHAT BHARGAVI
ASSTT. GENERAL MANAGER (HR AND A).EASTER REGION AT GUWAHATI

9:MEGHALAYA TRANSPORT CORPORATION

CORPORATION CONSTITUTED UNDER THE PROVISION OF THE ROAD
TRANSPORT ACT
1950 UNDER THE ACTIVE CONTROL OF THE GOVT. OF MEGHALAYA
DEPARTMENT OF TRANSPORT
SHILLONG
HAVING ITS REGISTERED OFFICE AT SAWLAD
MADANRYTING
SHILLON

Advocate for the Petitioner : MR. S K MEDHI,

Advocate for the Respondent : MEHDI ALAM (R-1 TO 6), MR. J PAULO (R-9),MS. N BORAH(R-9),MR S KHOUND(R-9),MS. S PARVEEN (R-1 TO 6)

**BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA**

ORDER

Date : 21-01-2026

Heard Mr. K. K. Medhi, the learned counsel appearing on behalf of Mr. S.K. Medhi, the learned counsel for the applicant/appellant. Also heard Mr. M.S. Hussain appearing on behalf of Ms. S. Parveen, learned counsel for respondent nos. 1 & 2 and Ms. S. Saikia, learned counsel appearing on behalf of Ms. S. Khaund, learned CGC for respondent no. 9.

2. This is an application u/s 5 of the Limitation Act read with Rule 3A of Order XLI of CPC praying for condonation of delay of 815 days in preferring the connected appeal.

3. Mr. Medhi, the learned counsel for the petitioner submitted that there is no intentional laches and negligence on the part of the applicant/appellant but the delay is caused due to the COVID-19 and observing some official formalities the learned counsel could not represent the Union of India which is already explained in para 17 of the application. He further submitted that due to COVID-19 as well as the change of Assistant Solicitor General of India there was some delay in preferring the connected appeal, which was preferred against the judgment & order dated 17.04.2018 passed in Money Suit No. 79 of 2006 by the learned Civil Judge No. 1, Kamrup (M).

4. Mr. Hussain as well as Ms. Saikia appearing on behalf of respondents have submitted that if the connected appeal is admitted by condoning the delay the respondent has no objection.

- 5.** Considering the submission made by learned counsel for both sides and also considering the grounds mentioned in the petition which is found to be reasonable and justified ground, the delay of 815 days in preferring the connected RFA is hereby condoned.
- 6.** Registry is accordingly directed to number and register the connected appeal and to list list accordingly.
- 7.** With the above observations, the present IA stands disposed of.

JUDGE

Comparing Assistant