



GAHC030005112025



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

Case No. : I.A.(Civil)/126/2025

State of Mizoram
R/b the Secretary to the Govt. of Mizoram, Public Works Department, Aizawl

VERSUS

Sh Engmawia and 3 Ors.
R/o N.Chaltlang, Kolasib District, Mizoram

Advocate for the Petitioner : Mr C Lalfakzuala

Advocate for the Respondent : Addl. AG/GA, Mizoram for R3 & R4

Linked Case : I.A.(Civil)/210/2025

The State of Mizoram
R/b the Secretary to the Govt. of Mizoram
PWD Department
Aizawl
Mizoram

VERSUS

Sh Engmawia and 3 Ors.
S/o Rokunga (L)
R/o N.Chaltlang
Kolasib District



Advocate for the Petitioner : Mr. C Lalfakzuala
Advocate for the Respondent : Addl. AG/GA
Mizoram for R3 & R4

Linked Case : LA.App./5/2025

State of Mizoram
R/b Secretary to the Govt. of Mizoram
PWD Department
Aizawl
Mizoram

VERSUS

Sh Engmawia and 3 Ors.
S/o Rokunga
R/N.Chaltlang
Kolasib District

2:Sh Thangnghinluaia
S/o Hnawta
R/o N.Chaltlang
Kolasib District

3:The Secretary to the Govt. of Mizoram
Land Revenue and Settlement Department
Aizawl

4:The District Collector
Kolasib District
Kolasib
Mizoram

Advocate for the Petitioner : Mr C Lalfakzuala
Advocate for the Respondent : Addl. AG/GA
Mizoram for R3 & R4



B E F O R E
HON'BLE MRS. JUSTICE MARLI VANKUNG
ORDER

20.11.2025

Heard Mr. C. Lalfakzuala, learned counsel for the applicant is present and submits that notice has been duly served upon private respondent Nos. 1 & 2 through dasti mode and affidavit to that effect has been duly filed. Wherein, the private respondent refused to accept the notice.

Ms. Lalnunhlui, learned Govt. Advocate submits that the State respondent should not have been impleaded as respondent Nos. 3 & 4.

The learned counsel for the applicant further submits that the name of State respondent Nos. 3 & 4 may be struck off since the present applicant is the PWD Department of the State and that the respondent Nos. 3 & 4 have been impleaded mistakenly.

In view of the above, respondent Nos. 3 & 4 are to be struck off.

Registry to do the needful.

It is seen that the instant application is for the condonation of delay of 140 days. The learned counsel for the applicant submits that the delay has been explain in detail in para 3 (i – xxv). The main reason being that the department/applicants had to consult and get the legal opinion of the Govt.



Advocate regarding the filing of the appeal against the Judgment & Award dated 17.12.2024 passed by the learned Judge, Fast Track Court, Kolasib District in LA case No. 15/2015. Time was also taken to procure the documents and thereafter, to prepare the appeal memo.

The learned counsel also submitted that, further delay was also caused due to the closure of the High Court during the winter vacations.

This court has considered the explanation given by the learned counsel and has also perused the detail explanation given at para 3 (i – xxv) along with the connected documents. This court is satisfied with the explanation given for the delay of 140 days on finding that there has been no laches or negligence on the part of the applicant to file the instant appeal against the Judgment & Award dated 17.12.2024 passed by the learned Judge, Fast Track Court, Kolasib District in LA case No. 15/2015.

Accordingly I.A (Civil) No. 126/2025 stands allowed and disposed of on the condonation of delay of 140 days.

JUDGE

Comparing Assistant