

GAHC030005142025



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

Case No. : I.A.(Civil)/129/2025

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

VERSUS

Sh HL Awithanga and 43 Ors.
R/o Saiphai, Kolasib District, Mizoram

Advocate for the Petitioner : Mr C Lalfakzuala

Advocate for the Respondent : Addl. AG/GA, Mizoram for R43 & R44

Linked Case : LA.App./8/2025

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

VERSUS

Sh HL Awithanga and 43 Ors.
R/o Saiphai

2:HL Awithanga
R/o Saiphai

3:R.Lalramnghaka

R/o Saiphai

4:Lalramnghaka

R/o Saiphai

5:Lalfakawma

R/o Saiphai

6:T.Zakunga

R/o Saiphai

7:Lalengzama

R/o Saiphai

8:Huanmawia

R/o Saiphai

9:H.Thanzauva

R/o Saiphai

10:H.Thanzauva

R/o Saiphai

11:Zuimawii

R/o Saiphai

12:Remruata

R/o Saiphai

13:Vanlallhua

R/o Saiphai

14:Thanhmingliana

R/o Saiphai

15:Thangchuailova

R/o Saiphai

16:R.Khumthanga

R/o Saiphai

17:Lalhmingmawia

R/o Saiphai

18:Suanhauva

R/o Saiphai

19:Rangchawngi

R/o Saiphai

20:Lalmawia

R/o Saiphai

21:Lalthlengliana

R/o Saiphai

22:Hlanthanga

R/o Saiphai

23:Lalhlanthanga

R/o Saiphai

24:HL Banliana

R/o Saiphai

25:Lalbanliana

R/o Saiphai

26:HL Banliana

R/o Saiphai

27:Joseph Laldusaka

R/o Saiphai

28:Pahlira

R/o Saiphai

29:Zonunsanga

R/o Saiphai

30:Nghakkhawlama

R/o Saiphai

31:Zoneiha

R/o Saiphai

32:Laldawngliana

R/o Saiphai

33:Lalmahruaia

R/o Saiphai

34:Lalduhthanga

R/o Saiphai

35:H.Lalramngaia

R/o Saiphai

36:Lalsanghluna
R/o Saiphai

37:Lalchhandama
R/o Saiphai

38:Partnership Mission Society
R/o Saiphai

39:Lalvanneia
R/o Saiphai

40:Sangthanga
R/o Saiphai

41:Lalthansanga
R/o Saiphai

42:Daisela
R/o Saiphai

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

44:The District Collector
Kolasib
Mizoram

Advocate for the Petitioner : Mr C Lalfakzuala
Advocate for the Respondent : Addl. AG/GA
Mizoram for R43 & R44

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

18.11.2025

Heard Mr. C. Lalfakzuala, learned counsel for the appellant. Also heard Ms.

Lalnunhlui, learned Govt. Advocate who submits that the instant appeal is being filed by the State of Mizoram/PWD Department and therefore being the Govt. Advocate she does not have anything to say in the matter. The learned counsel for the applicant/appellant submits that The Land revenue & Settlement Department and the District Collector have been arrayed as respondent Nos. 11 & 12 only as pro-forma respondents since the appeal has been preferred by the PWD Department.

The learned counsel for the applicant further submits that though they have made an attempt to serve notice upon the private respondent Nos. 1- 42 through dasti mode, the private respondents have refused to accept the notice and affidavit to that affect has also been filed. On considering the submission made by the learned counsel for the applicant, This court find it appropriate to proceed with the interlocutory application for the condonation of delay of 140 days in preferring the connected appeal in LA. Appl. No. 4 of 2025.

The learned counsel for the applicant submits that the grounds for the delay of 140 days has been explained in detail at para 3 (I -XXIV) and that the main grounds was due to the steps taken by the concern appellants for consultation and coming to decision to file the appeal to the appropriate procedure. He further submitted that there was further delay since the applicants has also tried to negotiate and settle the matter outside the court with the private

respondents regarding the amount of compensation which according to the appellants was too high and not as per law. He further submitted that, further delay was caused due to closure of the High Court during the winter vacation & also time taken to engaged a different counsel who is not the Govt. Advocate to take up the matter.

This court has perused the explanation given by the learned counsel for the applicant at para 3 (I – XXIV) and finds that the learned counsel for the applicant has given a satisfactory explanation for the delay of 140 days delay in filing the connected appeal against the Judgment & Order, dated 17.12.2024 passed by the learned Judge, Fast Track Court , Kolasib District in LA case No. 16/2015.

Accordingly, this court find it fit to condone the delay of 140 days, which this court find is not due to negligence on the part of the applicant.

I.A No. 129/2025 thus stands allowed and disposed of.

JUDGE

Comparing Assistant