

GAHC030005192025



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

Case No. : I.A.(Civil)/131/2025

Smt Lalkimi and Anr.

D/o Pachhunga, R/o Bawngkawn, Aizawl, Mizoram. Substituted by Smt
Lalbiaknungi, W/o C.Lalzela, R/o Bethlehem Vengthlang, Aizawl, Mizoram 2:
Lalbiaknung

VERSUS

Smt Laldawngliani and Anr.

D/o Selkunga, R/o Chaltlang Mual Veng, Aizawl, Mizoram 2:The Directo

Advocate for the Petitioner : Mr Lalfakawma

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

Linked Case : FAO/7/2025

Lalkimi and Anr.

D/o Pachhunga

R/o Bawngkawn

Aizawl Mizoram Substituted by Smt Lalbiaknungi

W/o C.Lalzela

R/o Bethlehem Vengthlang

Aizawl

Mizoram

2: Lalbiaknungi

W/o C.Lalzela

R/o Bethlehem Vengthlang

Aizawl

Mizoram

VERSUS

Smt Laldawngliani and Anr.
D/o Selkunga
R/o Chaltlang Mual Veng
Aizawl
Mizoram

2:The Director
Land revenue and Settlement Department
Govt. of Mizoram
Aizawl

Advocate for the Petitioner : Mr Lalfakawma
Advocate for the Respondent : Addl. AG/GA
Mizoram for R2

**BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA**

ORDER

22.01.2026

Heard Mr. Lalfakawma, learned counsel for the applicants. Also heard Mr. Joseph L. Renthlei, learned counsel for the respondent No. 1. Ms. Caroline K. Lungawipuii, learned Govt. Advocate appears for the respondent No. 2.

2. This is an application for condonation of delay of 112 days in filing the FAO against the order dated 20.01.2025 passed in Review Petition No. 21/2022, arising out of Eviction Suit No. 15/2017, passed by the learned Senior Civil Judge (Senior Division) – II, Aizawl District, Aizawl.

3. The applicants counsel submits that the delay in filing the appeal has occurred due to the applicant No. 2's husband being medically unfit and being under constant medical care. Further, as the property in question, though in the name of the applicant No. 2, is a family property and a collective decision had to be taken as to the next step to be taken by the applicant and her family. This also took some time and consultation with the lawyer also took a lot of time, until a final decision to file an appeal could be arrived at. The learned counsel for the applicants submits that there was no intention to delay the filing of the appeal and the same had occurred inadvertently.

4. Mr. Joseph L. Renthlei, learned counsel for the respondent No. 1 submits that the application of the applicants shows that the applicant No. 2's husband was sick for only three (3) weeks and had been in hospital for four (4) days. Further, the ground that vacations lasted around ten (10) days could not justify the delay of 112 days. In any event, the application for certified copy of the impugned order by the applicants was after 20 days of expiry of the vacation period. He accordingly submits that when there is no day to day explanation given for the delay, the application for condoning the delay should be rejected.

5. I have heard the learned counsels for the parties.

6. On considering the grounds of delay taken by the applicants, it is apparent

that exact day to day explanation for the delay has not been given by the applicants. However, on seeing the grounds that have been made for condoning the delay, this Court finds that sufficient cause for the delay has been made out. The delay of 112 days is accordingly condoned.

7. I.A is accordingly allowed and disposed of.

JUDGE

Comparing Assistant