

GAHC030006432025



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

Case No. : I.A.(Civil)/172/2025

The North East Frontier Railway and Anr.
Represented by the General Manager, N.F. Railway, Maligaon, Guwahati - 781011
2: The Deputy Chief Engineer (Construction)

VERSUS

The District Collector cum Deputy Commissioner and 42 Ors.
Kolasib District, Kolasib, Kolasib, Mizoram - 796081 2:Smt. Lalhmangaihi

3:Sh. R. Zauthangvunga

4:Sh. Lalnunmawia

5:Smt. Liansangpuii

6:Sh. Thankima

7:Sh. H. Vanlalruata

8:Sh. C. Rohmingthanga

9:Smt. Chhuanliani

10:Sh. C. Laltanpuia

11:Smt. Zahmingthangi

12:Smt. Darthanchhungi

13:Sh. C. Lalenga

14:Sh. Lalramzauva Sailo

15:Sh. Laiveta

16:Smt. Liankhumi

17:Smt. Lalhriatrengi

18:Sh. R. Zatluanga

19:Sh. Zoramthara

20:Sh. Lalramliana

21:Smt. R. Lalnunpari

22:Sh. Tlangruala

23:Sh. Lalramenga

24:Sh. C. Vanlalruata

25:Smt. Vanlalhruaii

26:Smt. Vanramthangi

27:Sh. Lalrinliana

28:Sh. Lalremmawia

29:Smt. Sanghliri

30:Sh. Lalmuanzuala

31:Sh. Remlalfela

32:Sh. Lalfakzuala

33:Sh. Lalchhuanawma

34:Sh. Lalfakawma

35:Sh. Lalramchhana

36:Sh. Thawmhnuna

37:Sh. Ramzauva

38:Sh. Zairenthanga

39:Smt. Lalchhanchhuahi

40:Sh. Ngurthansanga

41:Smt. Vanlalldiki

42:Sh. Lalthanfela

43:Sh. Laltluangpui

Advocate for the Petitioner : Mr. Sanjay Kumar Medhi

Advocate for the Respondent : Mr A.R. Malhotra for R2-R43

Linked Case : RFA/43/2025

The North East Frontier Railway and Anr.
represented by the General Manager
N.F. Railway
Maligaon
Guwahati-781011.

2: The Deputy Chief Engineer (Costruction)
North East Frontier Railways
Kawnpui
Mizoram.

VERSUS

The District Collector cum Deputy Commissioner and 42 Ors
Kolasib District
Kolasib
Mizoram-796081.

2:Smt. Lalmangaihi

D/o Raltawna(L)
R/o Kawnpui
Kolasib District
Mizoram-796070.

3:Sh. R. Zauthangvunga

S/o Liankunga (L)
R/o Kawnpui
Kolasib District
Mizoram-796070.

4:Sh. Lalnunmawia

S/o Hrangchhuana (L)
R/o Kawnpui
Kolasib District
Mizoram-796070.

5:Smt. Liansangpuii.
D/o Malsawma
R/o Kawnpui
Kolasib District
Mizoram-796070.

6:Sh. Thankima

S/o Khelkunga (L)
R/o Kawnpui
Kolasib District
Mizoram-796070.

7:Sh. Vanlalruata

S/o Hlira (L)
R/o Kawnpui
Kolasib District
Mizoram-796070.

8:Sh. C. Rohmingthanga

S/o LT Zama (L)
R/o Kawnpui
Kolasib District
Mizoram-796070.

9:Smt. Chhuanliani

D/o Luaia (L)
R/o Kawnpui
Kolasib District
Mizoram-796070.

10:Sh. C. Laltanpuia

S/o Chalneiha (L)
R/o Kawnpui
Kolasib District
Mizoram-796070.

11:Smt. Zahmingthangi

D/o Thanhkira (L)
R/o Kawnpui
Kolasib District
Mizoram-796070.

12:Smt. Darchanhhungi

D/o Chauhnuna (L)
R/o Kawnpui
Kolasib District
Mizoram-796070.

13:Sh. C. Lalenga

S/o Biakthuama (L)
R/o Kawnpui
Kolasib District
Mizoram-796070.

14:Sh. Lalramzauva Sailo

S/o Lalkunga Sailo (L)
R/o Kawnpui
Kolasib District
Mizoram-796070.

15:Sh. Laiveta

S/o Lianhranga (L)
R/o Kawnpui
Kolasib District
Mizoram-796070.

16:Smt. Liankhumi

D/o Ngura (L)
R/o Kawnpui
Kolasib District
Mizoram-796070.

17:Smt. Lalhriatrengi

D/o Mangbela (L)
R/o Kawnpui
Kolasib District
Mizoram-796070.

18:Sh. R. Zatluanga

S/o Rohlira (L)
R/o Kawnpui
Kolasib District
Mizoram-796070.

19:Sh. Zoramthara

S/o Salemthara (L)
r/O kAWNPUi
Kolasib District
Mizoram-796070.

20:Sh. Lalramliana

S/o Hrangkhuma (L)
R/o Kawnpui
Kolasib District
Mizoram-796070.

21:Smt. R. Lalnunpari

D/o Zauthangvunga
R/o Kawnpui
Kolasib District

Mizoram-796070.

22:Sh. Tlangruala

S/o Kawlkhuma (L)
R/o KZawnpui
Kolasib District
Mizoram-796070.

23:Sh.Lalramenga

S/o C. Vanlalruata
R/o Kawnpui
Kolasib District
Mizoram-796070.

24:Sh. C. Vanlalruata

S/o Seiliana (L)
R/o Kawnpui
Kolasib District
Mizoram-796070.

25:Smt. Vanlalhruaii

D/o Khelthangvunga (L)
R/o Kawnpui
Kolasib District
Mizoram-796070.

26:Smt. Vanramthangi

D/o Kawlkhma (L)
R/o Kawnpui
Kolasib District
Mizoram-796070.

27:Sh. Lalrinliana

S/o Ramzauva
R/o Kawnpui
Kolasib District
Mizoram-796070.

28:Sh.Lalremmawia

S/o Ramzauva
R/o Kawnpuia

Kolasib District
Mizoram-796070.

29:Smt. Sanghliri

D/o Thankhuma (L)
R/o Kawnpui
Kolasib District
Mizoram-796070.

30:Sh. Lalmuanzuala

S/o Thawmhnuna
R/o Kawnpui
Kolasib District
Mizoram-796070.

31:Sh. Remlalfela

S/o Lianzuala (L)
R/o Kawnpui
Kolasib District
Mizoram-796070.

32:Sh. Lalfakzuala

S/o K. Laldawngliana
R/o Kawnpui
Kolasib District
Mizoram-796070.

33:Sh. Lalchhuanawma

S/o Tlawmlova (L)
R/o Kawnpui
Kolasib District
Mizoram-796070.

34:Sh. Lalfakawma

S/o Thangdula
R/o Kawnpui
Kolasib District
Mizoram-796070.

35:Sh. Lalramchhana

S/o Lalkhawhluna (L)

R/o Kawnpui
Kolasib District
Mizoram-796070.

36:Sh. Thawmhnuna

S/o Thangchuna (L)
R/o Kawnpui
Kolasib District
Mizoram-796070.

37:Sh. Ramzauva

S/o Ngura (L)
R/o Kawnpui
Kolasib District
Mizoram-796070.

38:Sh. Zairenthanga

S/o Thanmawia (L)
R/o Kawnpui
Kolasib District
Mizoram-796070.

39:Smt. Lalchhanchhuahi

D/o Tlangkhuma
R/o Kawnpui
Kolasib District
Mizoram-796070.

40:Sh. Ngurthansanga

S/o Thangmasa (L)
R/o Kawnpui
Kolasib District
Mizoram-796070.

41:Smt. Vanlaldiki

D/o Thanchhunga
R/o Kawnpui
Kolasib District
Mizoram-796070.

42:Sh. Lalthanfala

S/o Khelkunga
R/o Kawnpui
Kolasib District
Mizoram-796070.

43:Sh. Lalthuangpuia

S/o Lalthanfala
R/o Kawnpui
Kolasib District
Mizoram-796070.

Advocate for the Petitioner : Mr. Sanjay Kumar Medhi
Advocate for the Respondent : Mr A.R. Malhotra for R2 -R43

B E F O R E
HON'BLE MR. JUSTICE PRANJAL DAS

ORDER

22.01.2026

Heard Mr. S.K. Medhi, learned counsel for the applicant/appellant. Also heard Ms. Vanlalthlamuani, learned counsel appearing for the respondent nos.2 to 43 and Mr. S. Vanlalhriata, learned Additional Government Advocate appearing for the respondent no.1.

This is an application filed by the applicant/appellant under section 5 of the Limitation Act 1963, seeking condonation of a delay of 57 days in preferring a Regular First appeal against impugned judgment and decree dated 22.04.2025 passed by learned Civil Judge (Sr. Division) Kolasib District, Mizoram in Damage Suit No.4/2022.

Mr. S.K. Medhi, learned counsel for the applicant submits that an

additional affidavit has been filed in this interlocutory application detailing the grounds regarding the delay. The said grounds are narrated in paragraph-5 to 14 of the additional affidavit.

The said grounds as mentioned above may be summarized as follows:-

The judgment and decree was passed on 22.04.2025 and on 28.04.2025, the concerned Assistant Executive Engineer requested the learned Standing Counsel for the Railways to forward the copy of the judgment. That, on several dates, there was a reminder from the side of the said Authority of Railways seeking a copy of the judgment. Finally, on 19.08.2025, the judgment was sent, where after, the opinion of the learned Standing Counsel for the Railways was sought for and on 21.08.2025, the judgment was sent to the office of the General Manager, N. F. Railway and the General Manager, N. F. Railway, Maligaon, vide letter dated 25.08.2025, instructed for filing of an appeal. It is further stated that the office of the General Manager also requested vide letter dated 29.08.2025, the Central Government Standing Counsel to prepare an appeal and the Central Government Counsel in turn sought for the certified copy of the judgment, which was handed over vide letter dated 04.09.2025. Thereafter, the appeal came to be filed.

Also heard Ms. Vanlalhlamuani, learned counsel appearing for the respondent nos.2 to 43, who fairly submits that they have no objection to the said condonation of delay. Mr. S. Vanlalhriata, learned Additional Government Advocate appearing for the respondent no.1 also submits that he has no objection to the condonation of delay.

Upon perusing the grounds of the delay, as stated in the additional affidavit, I find that the delay has been mainly occurred due to communications

between the various offices with regard to the matter of filing the appeal.

Upon giving my consideration of the matter, including the quantum of the delay as well as the no objection by the respondent side – I am of the considered view that the said delay of 57 days in preferring the Regular First Appeal can be condoned.

Accordingly, the delay of 57 days in preferring the Regular First Appeal against the impugning judgment and decree dated 22.04.2025 passed by learned Civil Judge (Sr. Division) Kolasib District, Mizoram in Damage Suit No.4/2022 is hereby condoned.

Accordingly, the interlocutory application stands allowed and disposed of.

JUDGE

Comparing Assistant