

GAHC040011992022



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

**Case No. : FAO/6/2022**

Tarh Tugung @ Koyu  
S/o Late Tarh Tai, a Resident of Village Yupia II, PO and PS Doimukh, District  
Papum Pare, Arunachal Pradesh.

VERSUS

Ngurang Taka  
S/o Shri Ngurang Tato, Resident of Senki Park Itanagar, PO/PS Itanagar, District  
Papum Pare, Arunachal Pradesh.

**Advocate for the Petitioner : N. Rama**

**Advocate for the Respondent : K Posi**

**BEFORE**  
**HONBLE MR. JUSTICE MRIDUL KUMAR KALITA**

**ORDER**

**Date : 22.08.2024**

Heard Mr. N. Rama, learned counsel for the appellant, who submits that this Court had dismissed the interlocutory application being I.A(C)No.205(AP)/2022, filed by the applicant for condoning the delay of 70 days in filing the instant first appeal against order by order dated 19.09.2023.

The learned counsel for the petitioner submits that the petitioner preferred a SLP before the Apex Court which was registered as SLP(C) No. 2336-2337/2024 and by order dated 23.07.2024, the Supreme Court of India has set aside the order dated 19.09.2023 passed by this Court in I.A(C) No. 205(AP)/2022 and allowed the SLP by directing the petitioner to pay a cost of Rs. 50,000/- (Rupees Fifty thousand) within 4(four) weeks from the date of the said order.

The learned counsel for the petitioner has submitted that accordingly the petitioner has already deposited the cost of Rs. 50,000/- (Rupees Fifty thousand) to the Registry.

I have seen the office note dated 21.08.2024, which shows that the Registry has received the demand draft of Rs. 50,000/- (Rupees Fifty thousand) from the appellant. As the SLP preferred by the appellant has been allowed by the Supreme Court of India and this first appeal against order has been restored, let the notice be issued to the respondent.

The appellant shall take steps for issuance of notice by registered post with AD as well as by usual mode within 7(seven) days from date of this Court. The appellant is also allowed to take steps for issuance of notice on the sole respondent by *dasti* mode.

Call for the record of Money Suit No. 96/2019 from the Court of learned Civil Judge, Senior Division, Yupia. The notice issued to the respondent is returnable on 09.09.2024.

List it accordingly.

**JUDGE**

**Comparing Assistant**