



Heard the learned counsel for the parties.

Leave granted.

This Appeal has been filed against the impugned order dated 28.01.2010 passed by the High Court of Guwahati in M.C. No. 2316/2009 in W.A. Serial No. 118081/2009, by which prayer to condone the delay in presenting the Appeal before the High Court has been rejected.

On the facts of the case, we are of the opinion that such a prayer should have been allowed by the High Court. Hence, prayer to condone the delay in filing the Appeal

:1:  
:2:

before the High Court is allowed, the impugned order of the High Court is set aside and the matter is remanded to the High Court to hear and decide the Appeal on merits in accordance with law, expeditiously.

The Appeal is allowed accordingly. No costs.

.....J.  
(MARKANDEY KATJU)

.....J.  
(T.S. THAKUR)

NEW DELHI  
SEPTEMBER 27, 2010.