

IN THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM: NAGALAND: MEGHALAYA: MANIPUR: TRIPURA
MIZORAM AND ARUNACHAL PRADESH)
ITANAGAR PERMANENT BENCH

Appeal From
Writ Petition (Civil)

MC (RP) No. 04 (AP) 2009
IN
R.P. (AP) 09

Shri Talem Haji & Anr.

Appellant
Petitioner.

Versus

Shri Jorhya Ranya

Respondent
Opposite Party.

Counsel for the Appellant
Petitioner. Mr. T. Son

Counsel for the Respondent
Opposite Party.

Noting by Officer or Advocate	Serial No.	Date	Office note, reports, orders or proceeding with signature
(1)	(2)	(3)	(4)

IN THE MATTER OF :-

1. Shri Talem Haji, ASM,
son of late Tani Haji, permanent
resident of Digi-Haji village,
P.O. Dumperijo, District Upper
Subansiri, Arunachal Pradesh.

2. Shri Nama Haji,
son of late Larna Haji, G.B. of
Digi village, P.O. Dumperijo,
District Upper Subansiri, A.P.

(Common Cause of action)

.....Applicants/
Petitioners.

- Versus -

Shri Jernya Kenya,
son of late Yuka Kenya, permanent
resident of Kenya village, P.O.
Dumperijo, District Upper Subansiri,
Arunachal Pradesh.

.....Opp. Party/Respondent.

- A N D -

Contd...4..

IN THE MATTER OF :-

1. Shri Nama Haji,

son of late Larna Haji, G.B. of
Digi-Haji village, P.O. Dumperije,
District Upper Subansiri, A.P.

2. Shri Talem Haji,

son of Tani Haji, ASM of Digi-Haji
village, P.O. Dumperije, District
Upper Subansiri, Arunachal Pradesh.

.....Petitioners.

- Versus -

Shri Jernya Kenya,

son of Iuka Kenya, village Kenya,
P.O. Dumperije, District Upper
Subansiri, Arunachal Pradesh.

.....Respondent.

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Misc. Case (RP) No.04 (AP) 2009

**BEFORE
THE HON'BLE MR. JUSTICE IA ANSARI
ORDER**

07.01.2011

Heard Mr. T. Son, learned counsel, for the applicant, and Mr. A. K. Singh, learned counsel, appearing for the respondent.

On perusal of the pleadings and the materials on record and also upon hearing the learned counsel for the parties, what transpires is that before the order, dated 29.01.2009, was passed in CRP 09(AP) 2008, which the applicant seeks review of, the applicant had suffered injury on his spinal cord and had to be admitted into hospital on 27.01.2009. Thus, before the order, dated 29.01.2009, was passed, the applicant already stand admitted in hospital. The applicant had to be re-admitted into the hospital on 24.02.2009 and remained there till 13.03.2009 and, then, again, he had to remain in hospital from 18.08.2009 to 20.09.2009, because of the treatment, which the applicant was required to be constantly receive. It is the case of the applicant that he could not apply for review of the order, dated 29.01.2009, because of the causes mentioned hereinbefore.

Having considered the reasons, which the applicant has assigned, this Court is of the view that the applicant has convincingly explained the reasons for the delay showing clearly that it was for reasons beyond his control that he could not apply for review of the order promptly.

In view of the above and in the interest of justice, the prayer for condonation of delay, made by the applicant, is hereby allowed.

Let the review petition be registered and listed for necessary order.

The Misc. Case shall accordingly stand disposed of.


JUDGE