

I.A. 1063/2015

BEFORE

HON'BLE MR. JUSTICE SUMAN SHYAM

Heard Mr. A. Ahmed, learned counsel for the applicant. None appears for the opposite parties.

By the order dated 16-12-2015 this Court had granted leave to the applicant to take steps for service of notice upon the respondent Nos. 1 and 4 by newspaper publication. Accordingly, the notice of this case were published in The Assam Tribune and the Dainik Asom in their issues dated 02-01-2016. By filing an affidavit on 22-01-2016 the applicant had brought on record the copies of the aforementioned newspapers a proof of taking steps in compliance with the order dated 16-12-2015.

I have perused the affidavit and enclosures and I am satisfied that steps as directed by this Court had been duly taken by the applicant. As such, notice on the opposite party Nos. 1 and 4 is deemed to be served.

This application is for condonation of delay of 38 days in filing the connected MAC appeal. The grounds for condonation of delay has been furnished in paragraphs 3 to 6 which goes to show that the delay has occurred in processing the file at the level of the Divisional Office, since some of the officers competent to take decisions were not available in the office during the relevant period of time.

Having regard to the explanation furnished in the application, I am inclined to allow the application for condonation of delay. Accordingly, the delay of 36 days in filing the connected MAC appeal stands condoned. Office to register the connected MAC appeal and list the same for admission.

Misc. case stands disposed of accordingly.