GAHC010230072026

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

**Case No. : I.A.(Civil)/3676/2026**

M/S VISHNU ENGINEERING CORPORATION
A PARTNERSHIP FIRM HAVING ITS PLACE OF BUSINESS AT PREMISES NO. 19, BIPLABI ANUKUL CHANDRA STREET, KOLKATA- 700072, WEST BENGAL, REPRESENTED BY ITS AUTHORISED REPRESENTATIVE SRI DEV GUPTA, AGED ABOUT 21 YEARS, SON OF SRI VISHAL KUMAR GUPTA, RESIDING AT 19, BIPLABI ANUKUL CHANDRA STREET, KOLKATA- 700072, WEST BENGAL

VERSUS

THE ASSAM INDUSTRIAL DEVELOPMENT CORPORATION LIMITED (AIDC LTD.) AND ANR
A GOVERNMENT OF ASSAM UNDERTAKING HAVING ITS OFFICE AT R.G. BARUAH ROAD, GUWAHATI- 781024, REPRESENTED BY ITS MANAGING DIRECTOR

2:MSTC LIMITED
A GOVERNMENT OF INDIA ENTERPRISE
HAVING ITS BRANCH OFFICE AT BSNL EXCHANGE BUILDING
BELTOLA- BASISTHA ROAD
WIRELESS
RANI BAGAN
GUWAHATI- 781028
REPRESENTED BY ITS BRANCH MANAGE

**Advocate for the Petitioner** : MR S DAS, G BORO,MR D J HALOI,MR. S A HUSSAIN

**Advocate for the Respondent** : DY.S.G.I., FOR CAVEATOR,SC, AIDC

**BEFORE**
**HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**
**HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI**

**ORDER**

**Date : 12.10.2026**
*(S.K. Medhi, J)*

Heard Shri R. Karnani, learned counsel appearing online for the applicant, who has filed this application under Section 5 of the Limitation Act, 1963, praying for condonation of delay in preferring the connected appeal against the judgment & order dated 25.08.2026 passed in WP(C) No. 6517/2025.

The learned counsel for the applicant has drawn the attention of this Court to the averments made in paragraphs 4 & 5 and has submitted that the delay is unintentional and there is no negligence or laches on the part of the party in preferring the connected appeal.

Also heard Shri D. Saikia, learned Senior Counsel assisted by Shri A. Kakoty, learned counsel appearing for the respondent AIDC. Mr. D. Saikia, learned Senior Counsel, has fairly submitted that he would not have a serious objection to the aspect of condonation of delay and would rather contest on the merits of the appeal, if admitted.

Considering the settled principles of law that a delay condonation application has to be dealt with in a pragmatic and justice-oriented manner, and also considering that the delay is not much, we are of the opinion that the delay be condoned.

Accordingly, the interlocutory application stands allowed by condoning the delay.

**JUDGE** **JUDGE**

**Comparing Assistant**