

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

**CIVIL APPEAL NO. _____ OF 2026
(@ SPECIAL LEAVE PETITION (CIVIL) NO.12758 OF 2026)**

UNION OF INDIA & ORS.

APPELLANT(S)

VERSUS

CHUAUKUNGA & ORS.

RESPONDENT(S)

O R D E R

Leave granted.

2. We have heard learned counsel appearing for the parties.

3. The present appeal is directed against the impugned judgment and final order dated 15.10.2025 passed by the Division Bench of the Gauhati High Court, Aizawl Bench in I.A. (Civil)/52/2025 in W.A.No.5 of 2025, whereby the application filed by the appellants seeking condonation of delay of 583 days in filing the writ appeal was dismissed.

4. The question for consideration is whether the High Court was justified in refusing to condone the delay of 583 days in

ing the Writ Appeal. The High Court, in the impugned order found that the delay had not been sufficiently explained by the appellants. Learned counsel appearing for the appellant(s)

submits that the writ appeal involves substantial questions relating to the liability to pay compensation under the supplementary award and that the High Court ought to have permitted the appellant to get the matter examined on its merits.

5. Learned counsel appearing for the respondent(s) submits that the respondent(s) are poor villagers/landowners and have been awaiting the benefits under the Award for nearly seventeen years.

6. The fact remains that the proceedings before the learned Single Judge had culminated in an order directing payment of compensation, and the Division Bench, while considering the application for condonation of delay, did not examine the matter on merits and confined itself solely on the question of delay in filing the writ appeal.

7. However, having regard to the nature of the dispute and the fact that issues of fact and law arise for consideration in the writ appeal, we are inclined to hold that the appellant ought to have been afforded an opportunity of having the writ appeal considered on its merits by the Division Bench.

8. At the same time, we are conscious of the fact that the delay has not been satisfactorily explained and that the respondents have been kept out of the benefits of the order

passed by the Single Judge, on account of the delay in filing the writ appeal. In these circumstances, while condoning the delay, it would be appropriate to impose costs upon the appellant.

9. Accordingly, the impugned judgment and order dated 15.10.2025 passed by the High Court is set aside. The delay of 583 days in filing the writ appeal is condoned, subject to the appellant paying a sum of Rs.10,000/- (Rupees Ten Thousand only) to all the respondents, within a period of six weeks from the date of receipt of a copy of this order.

10. The writ appeal shall stand restored to its original number and be considered by the Division Bench of the High Court on its own merits, in accordance with law.

11. The appeal stands allowed in the above terms, accordingly.

12. Pending application(s), if any, shall stand disposed of.

....., J.
(M.M.SUNDRESH)

....., J.
(PRASANNA B. VARALE)

NEW DELHI
29TH SEPTEMBER 2026

ITEM NO.51

COURT NO.3

SECTION XV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 12758/2026

[Arising out of impugned final judgment and order dated 15-10-2025
in IA(C) No. 52/2025 passed by the Gauhati High Court]

UNION OF INDIA & ORS.

Petitioner(s)

VERSUS

CHUAUKUNGA & ORS.

Respondent(s)

Date : 29-09-2026 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE M.M. SUNDRESH
HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Petitioner(s)

Mr. S.Dwarakanath, A.S.G.
Mr. Dr. N. Visakamurthy, AOR
Mr. Rajat Vaishnav, Adv.
Ms. Mrigna Shekhar, Adv.
Mr. B.K.Satija, Adv.
Mr. Nikhil Aradhe, Adv.
Ms. Nikita Capoor, Adv.
Mr. Arvind Kumar Sharma-aor, Adv.

For Respondent(s) :

Ms. Raavi Birbal, Adv.
Mr. Ashutosh Mohan, AOR
Mr. A Malsawmtluanga Sailo, Adv.
Mr. Lalhriatpuia, Adv.
Mr. Joseph Malsawmtluanga, Adv.
Mr. Kvl Remruatdika, Adv.
Mr. Purushottam Bharati, Adv.
Mr. Ranjeet Kumar, Adv.

Mr. Gudipati Gayatri Kashyap, Adv.
Mr. Rose Verma, AOR
Ms. Apoorva Pandey, Adv.
Mr. Ronvijay Gohain, Adv.
Mr. Deepak, Adv.

**UPON hearing the counsel the Court made the following
O R D E R**

Leave granted.

The appeal is allowed in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

**(VARSHA MENDIRATTA)
COURT MASTER (SH)**

**(POONAM VAID)
ASSISTANT REGISTRAR**

(Signed order is placed on the file)