

GAHC010027942023



**THE GAUhati HIGH COURT**  
**(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)**

**Case No. : I.A.(Civil)/926/2023**

NASIR UDDIN LASKAR  
PRINCIPAL IN CHARGE PRINCIPAL ALGAPUR PUBLIC HIGHER  
SECONDARY SCHOOL, P.O. KALIBARI BAZAR, DIST. HAILAKANDI,  
ASSAM, PIN-788150

VERSUS

THE STATE OF ASSAM AND 5 ORS .  
REP. BY THE COMM. and SECY. TO THE GOVT. OF ASSAM, EDUCATION  
SECONDARY DEPTT., ASSAM, KAHILIPARA, GHY.-19.

2:THE COMMISSIONER and SECRETARY  
EDUCATION SECONDARY DEPTT.  
DISPUR  
GHY.-06.

3:THE DIRECTOR

SECONDARY EDUCATION  
ASSAM  
KAHILIPARA  
GHY.-19.

4:THE INSPECTOR OF SCHOOLS

HAILAKANDI DISTRICT CIRCLE  
HAILAKANDI.

5:THE SCHOOL SELECTION COMMITTEE  
REP. BY THE PRESIDENT  
SCHOOL MANAGING COMMITTEE  
ALGAPUR PUBLIC HIGHER SECONDARY SCHOOL

HAILAKANDI

6:SMT. ALPANA DAS MAJUMDAR  
SUBJECT TEACHER  
ALGAPUR PUBLIC HIGHER SECONDARY SCHOOL  
P.O. KALIBARI BAZAR  
DIST. HAILAKANDI  
ASSAM  
PIN-788150

**Advocate for the Petitioner** : MS R RAJKHOWA

**Advocate for the Respondent** : SC, SEC. EDU.

Linked Case :

NASIR UDDIN LASKAR

VERSUS

THE STATE OF ASSAM AND 5 ORS . A

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Advocate for : MS R RAJKHOWA

Advocate for : appearing for THE STATE OF ASSAM AND 5 ORS . A

**BEFORE**  
**HONOURABLE THE CHIEF JUSTICE**  
**HONOURABLE MR. JUSTICE SUMAN SHYAM**

**ORDER**

**Date : 19/02/2024**  
***Vijay Bishnoi, CJ***

The matter comes upon for consideration of IA(C) No. 926/2023 with a prayer to condone the delay of 484 days in preferring the connected appeal.

It is submitted by the counsel for the applicant that the learned Single Judge passed the order impugned on 26/09/2019 against which, the applicant had preferred a review petition within limitation. However, the said review petition also came to be rejected vide order dated 09/01/2023 and immediately thereafter, on 07/02/2023, the IA along with the connected appeal is filed. Learned counsel for the applicant has submitted that the delay caused in filing the appeal is *bona fide* and, therefore, the same deserves to be condoned.

There is no response to this IA on behalf of the opposite parties/respondent nos. 1 to 5. However, the respondent no. 6 has opposed the application seeking condonation of delay.

Having heard the learned counsel for the parties and after going through the contents of the IA, we are of the view that the delay in filing the connected appeal is sufficiently explained by the applicant. Hence, the application under section 5 of the Limitation Act is allowed. Delay of 484 days in preferring the connected appeal is condoned.

Registry is directed to register the appeal and place it before this Court for admission after 2 (two) weeks.

IA stands disposed of.

**JUDGE**

**CHIEF JUSTICE**

*sukhamay*

**Comparing Assistant**