

GAHC010224982023



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

Case No. : I.A.(Civil)/3102/2023

DIPTIMAN BATHARI AND 4 ORS.
S/O. SRI DAITYALAL BATHARI, VILL. DOLIADISA, P.O. AND P.S. MAIBANG,
DIST. DIMA HASAO, ASSAM.

2: LALKUMTHLUNGA LALSIM
S/O. SRI ROIPUIA NGIRISM
VILL. MUAIDAM B
P.O. KHARTHONG
P.S. UMRANGSO
DIST. DIMA HASAO
ASSAM.

3: DULUMONI LONGMAILAI
D/O. SRI AUROJIT LANGTHASA
VILL. MEGHANARAYANPUR
P.O. AND P.S. MAIBANG
DIST. DIMA HASAO
ASSAM

4: AMAL LANGTHASA
S/O. LABCHAND LANGTHASA
VILL. DAMADI HAWAR
P.O. AND P.S. MAIBANG
DIST. DIMA HASAO
ASSAM

5: JOHNSON DARNEI
S/O. SRI ROIPUIA DARNEI
VILL. THURUK B
P.O. KHARTHONG
P.S. UMRANGSO
DIST. DIMA HASAO
ASSAM

VERSUS

THE N C HILLS AUTONOMOUS COUNCIL, AND 9 ORS.
HAFLONG REP. BY THE PRINCIPAL SECRETARY,DIMA HASAO
AUTONOMOUS COUNCIL, HAFLONG, 788819

2:THE ADDL. DIRECTOR OF EDUCATION (H)
ASSAM
HAFLONG

3:THE INSPECTOR OF SCHOOLS
DIMA HASAO DISTRICT CIRCLE
HAFLONG
ASSAM

4:THE HEADMASTER OF PUBLIC ENGLISH HIGH SCHOOL
HARANGAJAO
DIMA HASAO
ASSAM

5:THE HEAD MASTER OF KHARTHONG M.E. SCHOOL
KHARTHONG DIMA HASAO
ASSAM

6:THE HEADMASTER OF TLANGSANG M.E. SCHOOL
HATIKHALI
DIMA HASAO
ASSAM

7:THE HEAD MASTER OF TUOLPUI HIGH SCHOOL
DIMA HASAO
ASSAM

8:THE HEAD MASTER OF THURUK M.E. SCHOOL
DIMA HASAO
ASSAM

9:THE STATE OF ASSAM
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM
ELEMENTARY EDUCATION DEPARTMENT
DISPUR
GUWAHATI-06.

10:THE SECRETARY TO THE
GOVT. OF ASSAM
FINANCE DEPARTMENT
DISPUR

GHY-

Advocate for the Petitioner : MR. S D PURKAYASTHA, MS S.S.BORA

Advocate for the Respondent : SC, N C HILLS, SC, FINANCE,SC, ELEM. EDU

Linked Case :

DIPTIMAN BATHARI AND 4 ORS.

VERSUS

THE N C HILLS AUTONOMOUS COUNCIL
AND 9 ORS. B

Advocate for : MR. S D PURKAYASTHA

Advocate for : appearing for THE N C HILLS AUTONOMOUS COUNCIL
AND 9 ORS. B

BEFORE

HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

06/08/2024

Heard Mr. S D Purkayastha, learned counsel for the applicants and Mr. C Sarma, learned Standing counsel, North Cachar Hills Autonomous Council, Haflong for the opposite party Nos. 1 to 3.

No representation on behalf of the respondent Nos. 4 to 8 though notice was duly served upon them as can be seen from the order dated 16.07.2024.

The State respondent Nos. 9 and 10 also remained unrepresented though names of the concerned Standing counsel have been reflected in the cause list.

The applicants as petitioners earlier preferred a writ petition being WP(C) No. 1335/2018

which was dismissed by this Court by order dated 02.08.2023. Against the said order of dismissal dated 02.08.2023 passed in said WP(C) No. 1335/2018, the applicant as petitioner have preferred a review petition on 06.10.2023 with a delay of 28 days. Hence, this application under Section 5 of the Limitation Act praying for condonation of said delay of 28 days in preferring the review petition filed on 06.10.2023.

Heard the learned counsels for the parties.

It is seen that the applicant could show sufficient reasons for the delay of 28 days in preferring the connected review petition against the order dated 02.08.2023 passed by this Court earlier in WP(C) No. 1335/2018.

Considering the same, the delay of 28 days in preferring the connected review petition is hereby condoned.

Accordingly, this Interlocutory Application stands allowed.

Registry shall register and number the connected review petition and shall list the matter for admission, accordingly.

JUDGE

Comparing Assistant