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2026:GAU-

AS:13694-DB

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

Case No. : I.A.(Civil)/3194/2026

MRIDUL DEV ADHIKARY
S/O LATE MUKUNDA MOHAN ADHIKARY, BISHNU NAGAR, H. NO. 39,
HARICHARAN DAS PATH, LOKHRA ROAD, LOKHRA, GUWAHATI,
DISTRICT- KAMRUP (M), ASSAM, PIN -781040

VERSUS

THE STATE OF ASSAM AND 4 ORS.
REPRESENTED BY THE COMMISSIONER AND SECRETARY, DEPARTMENT
OF FOREST AND ENVIRONMENT, DISPUR, GUWAHATI -781005

2:THE CHAIRMAN
POLLUTION CONTROL BOARD
BAMUNIMAIDAM
GUWAHATI - 781021.

3:THE MEMBER SECRETARY
POLLUTION CONTROL BOARD
BAMUNIMAIDAM
GUWAHATI - 781021.

4:UNIVERSITY GRANTS COMMISSION
DISTANCE EDUCATION BUREAU
35 - FEROZE SHAH ROAD
NEW DELHI - 110001.

5:MANOJ SAIKIA
S/O REBA KANTA SAIKIA
SANKAR HOUSING COMPLEX SHANTI NIWAS
BLOCK NO. 1
FIRST FLOOR

NORTH JALUKBARI
GUWAHATI-781014
DISTRICT- KAMRUP (M)
ASSA

Advocate for the Petitioner : MS. M DEV, MS N DEB,MS P DEB

Advocate for the Respondent : SC, FOREST, SC, U G C,SC, P C B A

BEFORE

HONOURABLE THE CHIEF JUSTICE MR. ASHUTOSH KUMAR
HONOURABLE MR. JUSTICE ARUN DEV CHOUDHURY

ORDER

16-09-2026
(Arun Dev Choudhury, J)

1. We have heard Ms. M. Dev, learned counsel, for the applicant/appellant. Also heard Mr. S. Baruah, learned Standing counsel, Pollution Control Board; Mr. D. Gogoi, learned Standing counsel, Forest Department and Mr. A. Samua, learned Standing counsel, University Grants Commission appearing for the respondents/opposite parties.

2. The present Interlocutory Application has been filed by the applicant/appellant seeking condonation of the delay of **480** days in preferring the connected writ appeal against the Judgment and Order dated 03.04.2025, passed by the learned Single Judge in WP(C) No.5049/2022.

3. Perused the averments made in the present application.

4. After going through the averments made in the application, we are satisfied that the applicant/appellant has sufficiently explained the reasons of delay and has been able to substantiate that the reason beyond his control. We do not see any negligence, lack of bona-fide or inaction on the part of the applicant/appellant.

5. Thus, having considered the explanation tendered by the applicant/appellant, this Court is satisfied that the delay occasioned in preferring the connected writ appeal was neither deliberate nor actuated by negligence but resulted from bona-fide circumstances beyond the control of the applicant/appellant. In the absence of gross laches or mala-fide intention attributable to him, this Court would lean in favour of the adjudication on merits.

6. Accordingly, in the interest of justice and having satisfied that the causes shown are sufficient to condone the delay, we deem it appropriate to condone the delay.

7. Accordingly, the instant Interlocutory Application stands disposed of.

8. Registry shall process the connected Writ Appeal and, if the same is found defect free, list it on **18.11.2026** under the appropriate heading**.**

JUDGE **CHIEF JUSTICE**

Comparing Assistant