GAHC020001912024 2024:GAU-NL:586-DB

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

Case No. : I.A.(Civil)/56/2024

SHRI C. NGOUBANGSOMBA
S/O H. CHANGLEMBA CHANG
GRADE II DB
EAC OFFICE NGOUNGCHUNG
TUENSANG NAGALAND

VERSUS

THE STATE OF NAGALAND AND 53 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GTOVT. OF NAGALAND

Advocate for the Petitioner : MOA JAMIR,

Advocate for the Respondent : GOVT ADV NL,

Linked Case : WA/11/2024

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THE STATE OF NAGALAND AND 53 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF NAGALAND
KOHIMA

2:THE COMMISSIONER
NL KOHIMA

3:HE ASSISTANT COMMISSIONER
O/O THE COMMISSIONER
NAGALAND KOHIMA

4:THE DEPUTY COMMISSIONER
TUENSANG NAGALAND

5:) THE SUB-DIVISIONAL OFFICER(C)
TUENSANG NAGALAND

6:SADAR HEAD DOBASHI
TUENSANG
NAGALAND

7:SENIOR DOBASHI
TUENSANG
NAGALAND

8:EXTRA ASSISTANT COMMISSIONER
LONGKHIM
TUENSANG NAGALAND

9:HEAD DOBASHI
LONGKHIM
TUENSANG NAGALAND

10:SENIOR DOBASHI
LONGKHIM
TUENSANG NAGALAND

11:EXTRA ASSISTANT COMMISSIONER
SHAMATOR
SHAMATOR NAGALAND

12:HEAD DOBASHI
SHAMATOR
SHAMATOR NAGALAND

13:SENIOR DOBASHI
SHAMATOR
NAGALAND

14:EXTRA ASSISTANT COMMISSIONER
NOKLAK
NAGALAND

15:HEAD DOBASHI
NOKLAK
NOKLAK
NAGALAND

16:SENIOR DOBASHI
NOKLAK
NAGALAND

17:SHRI T. LONGSO KHIAMNIUNGAN
S/O LATE THANGMING
R/O TUESNSANG NAGALAND

18:M. BIRI CHANG
S/O MATCHI CHANG
R/O TAKNYU VILLAGE
DB GRADE II
POSTED AT EAC OFFICE CHINGMEI
TUENSANG NAGALAND

19:T. PUTSOI
S/O TANGOSI
R/O SANGLOI VILLAGE
DB GRADE-II
POSTED AT EAC OFFICE NOKHU
NOKLAK
TUENSANG
NAGALAND

20:IMSUMANGYANG SANGTAM
S/O RONGSENBA OF ALISOPUR VILLAGE
DB GRADE --
POSTED AT ADC OFFICE LONGKHIM
TUENSANG NAGALAND

21:A. THRIMHO YIMCHUNGER
S/O M. ASOKHIUNG YIMCHUNGER OF LONGTOKER VILLAGE
DB GRADE-II
POSTED AT EAC OFFICE MANGKO SHAMATOR NAGALAND

22:SHRI. M LONGSHEM
S/O MONGLOM OF CHOKLANGAN
DB GRADE II
POSTED AT EAC OFFICE NOKHU NOKLAK TUENSANG

23:M. MATBOU CHANG
S/O NAMING OF CHINGMEI

DB GRADE II
POSTED AT EAC OFFICE NOKHU
NOKLAK TUENSANG NAGALAND

24:SHRI. A HATHRONG YIMCHUNGER
S/O M AHOSHE YIMCHUNGER OF KIUTSUKIUR VILLAGE
DB GRADE II
OFFICE OF EAC SOTOKUR SHAM
ATOR NAGALAND

25:SHRI Y. SEKYUCHEM SANGTAM
S/O YANGTSAE OF SANGSOMONG VILLAGE
DB GRADE II
POSTED AT ADC OFFICE
LONGKHIM
TUENSANG NAGALAND

26:SHRI T. TONGPANG CHANG
S/O C. THUNGTI OF HAKCHANG VILLAGHE
DB GRADE II
POSTED AT EAC OFFICE SANGSANGNYU
TUENSANG NAGALAND

27:K THONGTHONG
S/O P. KORAKMONG OF LENGKONGER VILLAGE
DB GRADE II POSTED AT EAC OFFICE SOTOKUR
SHAMATOR NAGALAND

28:SHRI PESING
S/O KHUMONG OF PESHU VILLAGE
DB GRADE II
POSTED AT EAC OFFICE
PANSO
NOKLAK NAGALAND

29:SHRI Y. THSAJUNGLI SANGTAM
S/O YIMYUMONG SANGTAM OF LONGKHIM VILLAGE
DB GRADE II POSTED AT EAC ADC OFFICE
LONGKHIM TUENSANG NAGALAND

30:SHRI N. CHINGMAK
S/O Y. CHUBA OF BHUMPAK VILLAGE
DB GRADE II POSTED AT EAC OFFICE CHINGMEI
TUENSANG NAGALAND

31:SHRI NGAKUSOMBA
S/O T. MONGBA OF TUENSANG VILLAGE
GRADE II POSTED AT TUENSANG HEADQUARTER

TUENSANG NAGALAND

32:SHRI KIUKUM
S/O MUZUNGCHIM OF SOTOKUR VILLAGE
DB GRADE II POSTED EAC OFFICE MANGKO
SHAMATOR NAGALAND

33:SHRI LONGSHAM
S/O SEKO OF NOKHU VILLAGE
DB GRADE II POSTED AT DC OFFICE NOKLAK
NAGALAND

34:SHRI K CHINGMAK
S/O KHONI OF YALI VILLAGE
DB GRADE II POSTED AT TUENSANG HQ
TUENSANG NAGALAND

35:SHRI M HAKU CHANG
S/O METPONG OF KESHAI VILLAGE
DB GRADE II POSTED AT SANGSANGNYU
TUENSANG NAGALAND

36:SHRI MATHRI YIMCHUNGER
DB GRADE II POSTED AT DC OFFICE SHAMATOR
NAGALAND

37:SHRI N PEHEI
DB GRADE II POSTED AT DC OFFICE NOKLAK NAGALAND

38:SHRI C. TOCHI CHANG
DB GRADE II POSTED AT TUENSANG HQ
TUENSANG NAGALAND

39:SHRI TALIMEREN SANGTAM
DB GRADE II POSTED AT EAC OFFICE CHARE
TUENSANG NAGALAND

40:SHRI C. KHUMONG
DB GRADE IIPOSTED AT DC OFFICE NOKLAK NAGALAND

41:SHRI Y. IMTICHUBA CHANG
DB GRADE II POSTED AT EAC OFFICE NGOUNGCHUNG
TUENSANG NAGALAND

42:SHRI HOTONGKYI SANGTAM
DB GRADE II POSTED AT EAC OFFICE CHARE
TUENSANG NAGALAND

43:SHRI SHITOPONG YIMCHUNGER
DB GRADE II POSTED AT EAC OFFICE SOTOKUR
SHAMATOR NAGALAND

44:SHRI M. W. CHOLLEN CHANG
DB GRADE II POSTED AT TUENSANG HQ

TUENSANG NAGALAND

45:SHRI T. CHETTEI
DB GRADE II POSTED AT TUENSANG HQ
TUENSANG
NAGALAND

46:SHRI KIUSUMONG
DB GRADE II POSTED AT DC OFFICE SHAMATOR
NAGALAND

47:SHRI B. SAYU CHANG
DB GRADE II POSTED AT EAC OFFICE SANGSANGNYU
TUENSANG NAGALAND

48:SHRI T. CHINGMAK
DB GRADE II POSTED AT EAC OFFICE NGOUNGCHUNG
TUENSANG
NAGALAND

49:SHRI T. PALU KHIAM
DB GRADE II POSTED AT EAC OFFICE NOKHU
NOKLAK
NAGALAND

50:SHRI M. SHAHOTO YIMCHUNGER
DB GRADE II POSTED AT EAC OFFICE MANGKO
SHAMATOR NAGALAND

51:SHRI I.Y. SOMBA CHANG
DB GRADE II POSTED AT TUENSANG HQ
TUENSANG NAGALAND

52:W.M. MULLONG CHANG
DB GRADE II POSTED AT TUENSANG HQ
TUENSANG NAGALAND

53:SHRI C CHUBA CHANG
DB GRADE II POSTED AT TUENSANG HQ
TUENSANG
NAGALAND

54:SHRI KHINGKHASE SANGTAM
DB GRADE II POSTED AT ADC OFFICE LONGKHIM
TUENSANG
NAGALAND

Advocate for : MOA JAMIR
Advocate for : GOVT ADV NL appearing for THE STATE OF NAGALAND AND 53 ORS

BEFORE
HON'BLE MR. JUSTICE SOUMITRA SAIKIA
HON'BLE MR. JUSTICE KAUSHIK GOSWAMI

O R D E R

13.11.2024
(S. Saikia, J)

Heard Mr. Moa Jamir, learned counsel for the applicant as well as Mr. Taka Kichu, learned counsel appearing for respondent No. 17 as well as Mr. Veto V. Zhimomi, learned Government Advocate appearing for the State respondents.

The petitioner has appealed against the Judgment and Order dated 21.09.2023 passed in WP(C)/171/2018. While preferring the appeal there was a delay of 179 (one hundred and seventy-nine) days and accordingly the instant I.A. has been filed seeking condonation of delay.

The notice in the matter was issued on 24.04.2024 and on 18.09.2024 the respondent Nos. 21, 22, 24, 26, 30, 31, 32, 34, 35, 43, 47 and 50 were directed to be served notice by *dasti*. In pursuance to this Order the applicant has served notice by way of *dasti* on the said respondents on 19.09.2024 and affidavit of compliance to that effect has been furnished before this Court which reflects the acknowledgement of

the concerned respondents. However, none represents the respondents today when the matter is called up.

We have perused the grounds urged for seeking condonation of delay. No objection has been filed by way of affidavit by the respondents. Taking into consideration the submissions of the learned counsel for the applicant together with the grounds urged in the I.A. we find that the explanation provided in the I.A. appears to be sufficient for us to take a view that the delay of 179 (one hundred and seventy-nine) days which had occurred while filing the accompanying appeal can be condoned. Going through the grounds we do not find that the delay had occurred because of laches on the part of the appellant or is an attempt to resort to derelictory tactics to delay the implementation of the Order passed by the learned Single Judge in WP(C)/171/2018 and condone the delay of 179 (one hundred and seventy-nine) days that had occurred while filing the accompanying appeal.

The I.A. is accordingly allowed and disposed of.

Registry is directed to number the accompanying appeal and list before the Court on the next available Division Bench.

JUDGE **JUDGE**

Comparing Assistant