GAHC020005652024

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

Case No. : I.A.(Civil)/145/2024

MR. N NCHUMTHUNG AND 17 ORS
GRADUATE TEACHER (2010 SSA BATCH)
DEPT. OF SCHOOL EDUCATION
GOVT. MIDDLE SCHOOL
TSUNGIKI A
WOKHA NAGALAND

VERSUS

STATE OF NAGALAND AND 3 ORS
REPRESENTED BY THE CHIEF SECRETARY
GOVT. OF NAGALAND

Advocate for the Petitioner : A. ZHIMOMI,

Advocate for the Respondent : GOVT ADV NL,

Linked Case : WA/24/2024

MR. N. NCHUMTHUNG MURRY AND 17 ORS
GRADUATE TEACHER (2010 SSA BATCH)
DEPT. OF SCHOOL EDUCATION
GOVT. MIDDLE SCHOOL
TSUNGIKI A
WOKHA NAGALAND

2: MHONBENI MURRY
GRADUATE TEACHER (2010 SSA BATCH)
DEPT. OF SCHOOL EDUCATION
WOKHA NAGALAND

3: N ABENTHUNG KITHAN
GRADUATE TEACHER (2010 SSA BATCH)
DEPT. OF SCHOOL EDUCATION
GOVT. MIDDLE SCHOOL
MUNGYA
WOKHA NAGALAND

4: ACHUMLO N HUMTSOE
GRADUATE TEACHER (2010 SSA BATCH)
DEPT. OF SCHOOL EDUCATION
GOVT. MIDDLE SCHOOL
WOKHA TROWN C
WOKHA NAGALAND

5: KHYOPENTHUNG JAMES Y KIKON
GRADUATE TEACHER (2010 SSA BATCH)
DEPT. OF SCHOOL EDUCATION
GOVT. MIDDLE SCHOOL
PONGIDONG
WOKHA NAGALAND

6: M BENCHUMLO HUMTSOE
GRADUATE TEACHER (2010 SSA BATCH)
DEPT. OF SCHOOL EDUCATION
GOVT. MIDDLE SCHOOL
TSUNGIKI A
WOKHA NAGALAND

7: T YILOBENI EZUNG
GRADUATE TEACHER (2010 SSA BATCH)
DEPT. OF SCHOOL EDUCATION
GOVT. MIDDLE SCHOOL
WOKHA TOWN B
WOKHA NAGALAND

8: RENPONTHUNG ODYUO KHARKONGAR
GRADUATE TEACHER (2010 SSA BATCH)
DEPT. OF SCHOOL EDUCATION
GOVT. MIDDLE SCHOOL
WOZHURO
WOKHA NAGALAND

9: T LIBENTHUNG MURRY
GRADUATE TEACHER (2010 SSA BATCH)
DEPT. OF SCHOOL EDUCATION
GOVT. MIDDLE SCHOOL
WOKHA TOWN A
WOKHA NAGALAND

10: L YANBEMO ENYIO
GRADUATE TEACHER (2010 SSA BATCH)
DEPT. OF SCHOOL EDUCATION
GOVT. MIDDLE SCHOOL
WOZHURO
WOKHA NAGALAND

11: ALENO NGUKHA
GRADUATE TEACHER (2010 SSA BATCH)
DEPT. OF SCHOOL EDUCATION
GOVT. MIDDLE SCHOOL
MIMA
KOHIMA NAGALAND

12: RAMPUANA THOU
GRADUATE TEACHER (2010 SSA BATCH)
DEPT. OF SCHOOL EDUCATION
GOVT. MIDDLE SCHOOL
SECTOR B
JALUKIE TOWN
PEREN NAGALAND

13: IMKONGWABANG
GRADUATE TEACHER (2010 SSA BATCH)
DEPT. OF SCHOOL EDUCATION
DISTRICT MISSION AUTHORITY
MOKOKCHUNG NAGALAND

14: T ASANGLA
GRADUATE TEACHER (2010 SSA BATCH)
DEPT. OF SCHOOL EDUCATION
LONGRIMENDANG AO GOVT. HIGH SCHOOL
MOKOKCHUNG NAGALAND

15: CHUBAYANGLA
GRADUATE TEACHER (2010 SSA BATCH)
DEPT. OF SCHOOL EDUCATION
GOVT. MIDDLE SCHOOL
SUMI
MOKOKCHUNG NAGALAND

16: LIANARO
GRADUATE TEACHER (2010 SSA BATCH)
DEPT. OF SCHOOL EDUCATION
GOVT. MIDDLE SCHOOL
A AND B SECTOR
MOKOKCHUNG NAGALAND

17: N W AYANGLA
GRADUATE TEACHER (2010 SSA BATCH)
DEPT. OF SCHOOL EDUCATION
GOVT. HIGHER SECONDARY SCHOOL
MANGKOLEMBA
MOKOKCHUNG NAGALAND

18: IMODANGBA
GRADUATE TEACHER (2010 SSA BATCH)
DEPT. OF SCHOOL EDUCATION
GOVT. MIDDLE SCHOOL
MAREPKONG
MOKOKCHUNG NAGALAND
VERSUS

STATE OF NAGALAND AND 3 ORS
REPRESENTED BY THE CHIEF SECRETARY
GOVT. OF NAGALAND

2:THE COMMISSIONER AND SECRETARY
P AND AR DEPT.
NAGALAND KOHIMA

3:THE COMMISSIONER AND SECRETARY
DEPT. OF SCHGOOL EDUCATION
NAGALAND KOHIMA

4:THE PRINCIPAL DIRECTOR
DIRCTORATE OF SCHOOL EDUCATION
NAGALAND KOHIMA

Advocate for : A. ZHIMOMI
Advocate for : GOVT ADV NL appearing for STATE OF NAGALAND AND 3 ORS

BEFORE
HON'BLE MR. JUSTICE MANISH CHOUDHURY
HON'BLE MR. JUSTICE KAKHETO SEMA

O R D E R

25.09.2024
(M. Choudhury, J)

Heard Mr. N. Mozhui, learned counsel for the applicants and Ms. V. Suokhrie, learned Additional Advocate General, State of Nagaland for the opposite parties.

The instant Interlocutory Application under Section 5 of the Limitation Act, 1963 read with Rule 2 (2) of Chapter V-A of the Gauhati High Court Rules has been preferred seeking condonation of delay of 54 (fifty-four) days in preferring the accompanying writ appeal. The accompanying writ appeal has been preferred to assail the Judgment and Order dated 10.06.2024 in a writ petition, WP(C)/278/2022, passed by a learned single Judge. By the Judgment and Order dated 10.06.2024, in the writ petition, WP(C)/278/2022 preferred by the applicants as writ petitioners, has been dismissed.

We have gone through the statements and averments made in the instant interlocutory application, more particularly, paragraph-10 thereof. Having gone through the same, we are of the considered view that the applicants have been able to explain the reason for delay showing sufficient cause.

Ms. V. Suokhrie, learned Additional Advocate General, State of Nagaland appearing for the opposite parties has submitted that she has

no instruction to oppose the instant interlocutory application seeking condonation of delay and has fairly submitted that the accompanying writ appeal can be heard on merits, after condoning the period of delay.

In view of the above, the instant Interlocutory Application seeking condonation of delay of 54 (fifty-four) days in preferring the accompanying writ appeal stands allowed.

The Registry to register the accompanying writ appeal and thereafter, list the same for admission.

JUDGE **JUDGE**

Comparing Assistant