

GAHC020000302025



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

Case No. : I.A.(Civil)/7/2025

THE PRINCIPAL ACCOUNTANT GENERAL
OFFICE OF THE PRINCIPAL ACCOUNTANT GENERAL (A AND E)
NAGALAND KOHIMA

VERSUS

SMTI. ASONO NGANG AND 3 ORS
WIFE OF NEIBA NDANG
R/O NAGARJAN
DIMAPUR NAGALAND

2:THE STATE OF NAGALAND
REPRESENTED BY THE CHIEF SECRETARY
GOVT. OF NAALAND

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

4:THE PRINCIPAL DIRECTOR
DIRECTORATE OF SCHOOL EDUCATION
NAGALAND KOHIMA

Advocate for the Petitioner : JOSHUA SHEQI,

Advocate for the Respondent : ,

**BEFORE
HON'BLE MR. JUSTICE MANISH CHOUDHURY**

ORDER

Date : 16.09.2025

Heard Mr. J. Sheqi, learned counsel for the applicant-appellant; Mr. Taka

Masa, learned Senior Counsel assisted by Mr. Santiyanger, learned counsel for the opposite party-respondent no. 1; and Mr. N. Angami, learned Senior Government Advocate, Nagaland for the opposite party-respondent nos. 2, 3 & 4.

2. The instant application under Section 5 of the Limitation Act, 1963 has been preferred by the applicant-appellant seeking condonation of delay of 1447 days in preferring the accompanying first appeal, First Appeal no. 1/2025 against a Judgment dated 20.05.2019 and a Decree dated 22.05.2019, passed by the learned Principal District & Sessions Judge, Dimapur [‘the Trial Court’, for short] in Civil Suit no. 15/2014. By the afore-mentioned Judgment and Decree, the Trial Court had directed the office of the applicant-appellant, that is, the Principal Accountant General, Nagaland to pay a sum of Rs. 3,90,340/- with the interest @ 9% per annum within a period of two months.

3. Mr. Taka Masa, learned Senior Counsel appearing for the opposite party-respondent no. 1, that is, the decree holder placed two Communications bearing no. BUD/8-31/2018-19/TJ/451 dated 14.02.2019 and EDS [PER]-23/2001 dated 15.02.2019 of the Department of School Education, Government of Nagaland to submit that the opposite party-respondent no. 1, that is, the decree holder has already been sanctioned and disbursed an amount of Rs. 3,90,340/- by the School Education Department, Government of Nagaland. Mr. Taka Masa, learned Senior Counsel has further submitted that the decree holder has already been received the said amount. As the opposite party-respondent no. 1 has already been received in February, 2019, she has no grievance in the matter.

4. Mr. Sheqi, learned counsel appearing for the petitioner has submitted that he was not aware of such developments and in view of such subsequent developments, the applicant-appellant does not want to press this application.

5. In view of the above submissions made by Mr. Sheqi, learned counsel appearing for the applicant-appellant, the instant application is dismissed, as

not pressed.

Sd/-

JUDGE

Comparing Assistant