GAHC010137262026

2026:GAU-AS:16220-DB

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

Case No. : I.A.(Civil)/2358/2026

THE UNION OF INDIA AND 2 ORS.
REPRESENTED BY THE SECRETARY, MINISTRY OF HOME AFFAIRS, NEW DELHI, PIN- 110001.

2: THE DIRECTOR GENERAL
C.R.P.F.
RECRUITMENT BRANCH
EAST BLOCK-07
LEVEL-4
SECTOR-1
R.K. PURAM
NEW DELHI- 110066.

3: THE REGIONAL DIRECTOR NER

STAFF SELECTION COMMISSION
HOUSEFED COMPLEX LAST GATEASSAM SACHIVALAYA
DISPUR
GUWAHATI
ASSAM- 78100

VERSUS

PARTHA PARTIM BASUMATARY
SON OF SHRI PRASANNA BASUMATARY, VILLAGE- BARKURIHA, P.O.- TITKURI, P.S. - RANGIA, DISTRICT- KAMRUP R, ASSAM, PIN- 781354.

Advocate for the Petitioner : MR H GUPTA,

Advocate for the Respondent : MR. M SARANIA, N GOGOI,MR. B G OWARY,MR A SARANIA

Linked Case :

THE UNION OF INDIA AND 2 ORS
THE UNION OF INDIA REPRESENTED BY THE SECRETARY MINISTRY OF HOME AFFAIRS NEW DELHI PIN 110001

VERSUS

PARTHA PRATIM BASUMATARY A
PARTHA PRATIM BASUMATARY SON OF SHRI PRASANNA BASUMATARY VILL BAR KURIHA PO. TITKURI PS RANGIA DIST KAMRUP RURAL ASSAM PIN 781354

Advocate for : MR H GUPTA
Advocate for : appearing for PARTHA PRATIM BASUMATARY A

-BEFORE-

HON'BLE THE CHIEF JUSTICE MR. ASHUTOSH KUMAR
HON'BLE MR. JUSTICE KAUSHIK GOSWAMI

04.11.2026
(K. Goswami, J)

Heard Mr. Vinoika Aye, learned Advocate appearing on behalf of Mr. H. Gupta, learned Advocate for the applicants and Mr. M. Sarania, learned Advocate for the sole respondent.

2. This application has been filed for condoning the delay of 509 days in preferring the connected writ appeal against the judgment and order dated 17.03.2021 passed by a learned Single Judge of this Court in WP(C) No.956/2020.

3. The applicants have sought condonation of the delay in filing the

connected writ appeal, contending that the delay occasioned in preferring the appeal was neither intentional nor deliberate, but arose due to the unprecedented circumstances prevailing during the COVID-19 pandemic, administrative exigencies, inter-departmental consultations and the time consumed in obtaining necessary legal opinions, approvals and instructions from the concerned authorities. The applicants have taken all necessary steps and diligently pursued the matter at every stage with the *bona fide* intention of challenging the impugned judgment and order and the delay has occurred solely due to circumstances beyond their control.

4. Learned Advocate appearing for the respondent has fairly submitted that he has received no instruction to oppose to the prayer for condonation.

5. Having heard the learned Advocates appearing for the contending parties and having considered the explanations furnished, we are satisfied that the delay is sufficiently explained.

6. That being so, the delay in preferring the accompanying writ appeal deserves to be condoned in the interest of substantial justice, as the same has occurred due to *bona fide* and unavoidable circumstances and not on account of any deliberate or willful negligence on the part of the applicants. The applicants have demonstrated sufficient cause by explaining the sequence of events, including the disruption of Government functioning during the COVID-19 pandemic, the time taken in deciding the appropriate legal remedy, namely, whether to prefer a review petition or a writ appeal, the

consultations with the Government Counsel and Law Officers and the subsequent administrative correspondence and procedural formalities involved in finalizing and filing the appeal.

7. Accordingly, the delay of 509 days in preferring the connected writ appeal stands condoned.

8. The interlocutory application stands allowed and disposed off.

9. Registry to process the connected writ appeal and list the same on **25.01.2027**, under the appropriate heading.

JUDGE **CHIEF JUSTICE**

Comparing Assistant