GAHC010173112026

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

Case No. : I.A.(Civil)/2938/2025

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY THE SECY. TO THE GOVT. OF ASSAM
DEPTT. OF SCHOOL EDUCATION DEPTT.
DISPUR
GUWAHATI 6

2: THE DIRECTOR OF SECONDARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI- 781022.

3: THE INSPECTOR OF SCHOOL
TINSUKIA DISTRICT CIRCLE
TINSUKIA DISTRICT
DIST.- TINSUKIA
ASSAM.

4: THE INSPECTOR OF SCHOOL
MARGHERITA CIRCLE
MARGHERITA
DIST.- TINSUKIA
ASSAM.

5: THE INSPECTOR OF SCHOOL
DOOMDOOMA CIRCLE
DOOMDOOMA
DIST.- TINSUKIA
ASSAM.
VERSUS

JAYANTA NEOG AND 13 ORS
S/O BHUBAN CH. NEOG
R/O LAIPULI KAPTANCHUK

P.O. LAIPULI (PANITULA)
DIST. TINSUKIA
ASSAM
PIN 786183

2:KESHAB BEZBORUAH
S/O- LATE INDESWAR BEZBORUAH

R/O- NO. 1 UPAN UBAN

P.O.- KAKOPATHAR

P.S.- KAKOPATHAR

DIST.- TINSUKIA
ASSAM

PIN- 786152.

3:MD. ALIP KHAN
S/O- MOHAMDDIN KHAN

R/O- NO. 1 CHELLENGURI

P.O.- KAKOPATHAR

P.S.- KAKOPATHAR

DIST.- TINSUKIA
ASSAM

PIN- 786152.

4:PRANJAL KUMAR GOHAIN
S/O- LATE MADRAJIT GOHAIN

R/O- PANITOLA BORDUBI ROAD

P.O.- PANITOLA

P.S.- PANITOLA

DIST.- TINSUKIA
ASSAM

PIN- 786183.

5:SANGITA BORKAKOTY

D/O- PRAFULLA BORKAKOTY

R/O- AZAD ROAD
DOOMDOOMA

P.O.- DOOMDOOMA

P.S.- DOOMDOOMA

DIST.- TINSUKIA
ASSAM

PIN- 786151.

6:JYOTI MORAN NEOG
W/O- PHOTICK CHANDRA NEOG

R/O- A.T. ROAD NEAR CITY DHABA
LAIPULI

P.O.- PANITOLA
P.S.- PANITOLA

DIST.- TINSUKIA
ASSAM

PIN- 786183.

7:JAYANTA BORUAH
S/O- LATE CHAKRADHAR BORUAH

R/O- SANTIPUR

P.O.- KAKOPATHAR

P.S.- KAKOPATHAR

DIST.- TINSUKIA
ASSAM

PIN- 786152.

8:DHIRAJ THAPA
S/O- LATE NARADHAJA THAPA

R/O- BORBIL NO. 1
JYOTI NAGAR
P.O.- DIGBOI

P.S.- DIGBOI

DIST.- TINSUKIA
ASSAM

PIN- 786171.

9:NABANITA NEOG
D/O- LATE PABAN KR. NEOG

R/O- GUIJAN 5 NO.
P.O.- RANGAGORAH

P.S.- GUIJAN

DIST.- TINSUKIA
ASSAM

PIN- 786181.

10:GAYATRI CHOWDHURY
D/O- PARAMANANDA CHOWDHURY

R/O- JOYANAGAR

P.O.- MARGHERITA

P.S.- MARGHERITA

DIST.- TINSUKIA
ASSAM

PIN- 786181.

11:RAJ MORAN
S/O- MRINAL KANTA MORAN

R/O- KHERIJAN

P.O.- KAKOPATHAR

P.S.- KAKOPATHAR

DIST.- TINSUKIA
ASSAM

PIN- 786152.

12:NOBUL KUMAR SONOWAL
S/O- LATE JAGANNATH SONOWAL

R/O- TENGAGAON TALAP

P.O.- TALAP

P.S.- DOOMDOOMA

DIST.- TINSUKIA
ASSAM

PIN- 786156.

13:DEBEN CH. CHETIA
S/O- LATE HARINATH CHETIA

R/O- KAKOPATHAR

P.O.- KAKOPATHAR

P.S.- DOOMDOOMA

DIST.- TINSUKIA
ASSAM

PIN- 786152.

14:HEM CHANDRA MORAN
S/O- LATE DIMBESWAR MORAN

R/O- SOONJAN

P.O.- NAVAJYOTI

P.S.- BORDUMSA

DIST.- TINSUKIA
ASSAM

PIN- 786152.

For the Applicant(s) : Ms. R. Barua, Standing Counsel, Department of School Education.

For the Respondent(s) : Mr. D. Gogoi, Advocate.

-BEFORE-

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

08.10.2026
(K. Goswami, J)

We have heard Ms. R. Barua, learned Standing Counsel, Department of School Education for the applicants and Mr. D. Gogoi, learned Counsel for the respondent Nos.1, 2, 3, 5, 6, 7, 10, 11, 12, 14.

2. By way of this interlocutory application filed under Section 5 of the Limitation Act, 1963 the applicant seeks condonation of the delay of 108 days in preferring the connected appeal against the judgment and order dated 11.04.2025, passed by a learned Single Judge of this Court in WP(C) No.4205/2024.

3. The delay of 108 days is attributed to the time consumed in the administrative and procedural processes following the Judgment and Order dated 11.04.2025. The matter was examined at various levels, instructions were issued to prefer an appeal, relevant records were collected, and the draft writ appeal underwent preparation, vetting, verification, and approval by the concerned authorities. The appeal was ultimately filed on 26.08.2025.

4. Learned counsel appearing for the applicants submits that there has been no intentional or willful negligence on the part of the applicants in filing the connected appeal and, hence, prays for a liberal consideration by this Court.

5. Learned counsel appearing for the respondents has fairly submitted

that he has received no instructions to oppose to the prayer for condonation of delay.

6. Having heard the learned counsel for the parties and considering the averments in the application, we are satisfied that the applicants have sufficiently explained the delay. The chronology of events discloses sufficient cause, and there is nothing to suggest that the delay was deliberate, mala fide, or due to gross negligence.

7. That being so, the delay of 108 days in filing the connected appeal is hereby condoned.

8. The interlocutory application stands allowed and disposed off.

9. Registry to process the connected appeal and list the same on 16.11.2026 under the appropriate heading along with WA No. 305/2026.

JUDGE **CHIEF JUSTICE**

Comparing Assistant