GAHC010241032026

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

Case No. : I.A.(Civil)/3949/2026

HIMEN GOGOI
SON OF LATE TUNIRAM GOGOI, RESIDENT OF SECTOR- 03, BORDOLOI NAGAR, LANE NO.- 08, P.O.- TINSUKIA, P.S.- TINSUKIA, DIST.- TINSUKIA, ASSAM, PIN- 786125.

VERSUS

THE ASSAM POWER DISTRIBUTION COMPANY LTD. AND 9 ORS.
REPRESENTED BY ITS MANAGING DIRECTOR, BIJULI BHAWAN, PALTAN BAZAR, GUWAHATI- 01.

2:THE ASSAM POWER GENERATION COMPANY LTD
REPRESENTED BY ITS MANAGING DIRECTOR
BIJULI BHAWAN
PALTAN BAZAR
GUWAHATI- 01.

3:THE CHAIRMAN
APDCL APGCL
AEGCL BIJULI BHAWAN
PALTAN BAZAR
GUWAHATI- 01.

4:THE MANAGING DIRECTOR
THE ASSAM POWER DISTRIBUTION COMPANY LTD.
BIJULI BHAWAN
PALTAN BAZAR
GUWAHATI- 01.

5:THE MANAGING DIRECTOR
THE ASSAM POWER GENERATION COMPANY LTD.
BIJULI BHAWAN
PALTAN BAZAR
GUWAHATI-01.

6:THE CHIEF GENERAL MANAGER (HRA)
THE ASSAM POWER DISTRIBUTION COMPANY LTD.
BIJULI BHAWAN
GUWAHATI-01

7:THE CHIEF GENERAL MANAGER (HRA)
THE ASSAM POWER GENERATION COMPANY LTD.
BIJULI BHAWAN
PALTAN BAZAR
GUWAHATI- 01.

8:THE CHIEF GENERAL MANAGER (GENERATION)
THE ASSAM POWER GENERATION COMPANY LTD.
BIJULI BHAWAN
PALTAN BAZAR
GUWAHATI-01

9:THE CHIEF EXECUTIVE OFFICER
TINSUKIA ELECTRICITY CIRCLE
ASSAM POWER DISTRIBUTION COMPANY LTD.
TINSUKIA ELECTRICAL CIRCLE
TINSUKIA ASSAM.

10:THE ASSISTANT GENERAL MANAGER
T AND C DIVISION
TINSUKIA
ASSAM POWER DISTRIBUTION COMPNAY LIMITED
TINSUKIA ELECTRICAL CIRCLE
TINSUKIA ASSA

Advocate for the Petitioner : MR. I C DEKA,

Advocate for the Respondent : SC, APDCL,

Linked Case : CRP/0/0

SRI HIMEN GOGOI
SON OF LATE TUNIRAM GOGOI
RESIDENT OF SECTOR-03
BORDOLOI NAGAR
LANE NO.08
P.O. TINSUKIA
P.S. TINSUKIA
DIST. TINSUKIA
ASSAM

PIN-786125.

VERSUS

THE ASSAM POWER DISTRIBUTION COMPANY LTD
REPRESENTED BY ITS MANAGING DIRECTOR
BIJULI BHAWAN
PALTANBAZAR
GUWAHATI-01.

2:THE ASSAM POWER GENERATION COMPANY LTD
REPRESENTED BY ITS MANAGING DIRECTOR
BIJULI BHAWAN
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GUWAHATI-01.

3:THE CHAIRMAN
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PALTANBAZAR
GUWAHATI-01.

4:THE MANAGING DIRECTOR
THE ASSAM POWER DISTRIBUTION COMPANY LTD. BIJULI BHAWAN
PALTANBAZAR
GUWAHATI-01.

5:THE CHIEF GENERAL MANAGER HRA
THE ASSAM POWER DISTRIBUTION COMPANY LTD. BIJULI BHAWAN
PALTANBAZAR
GUWAHATI-01.

6:THE CHIEF GENERAL MANAGER HRA
THE ASSAM POWER DISTRIBUTION COMPANY LTD.
BIJULI BHAWAN
GUWAHATI-01

7:THE CHIEF GENERAL MANAGER GENERATION
THE ASSAM POWER GENERATION COMPANY LTD BIJULI BHWAN
PALTANBAZAR
GUWAHATI-01.

8:THE CHIEF EXECUTIVE OFFICER
TINSUKIA ELECTRICITY CIRCLE
ASSAM POWER DISTRIBUTION COMPANY LTD. TINSUKIA ELECTRICAL

CIRCLE
TINSUKIA
ASSAM.

9:THE ASSISTANT GENERAL MANAGER
T AND DIVISION
TINSUKIA
ASSAM POWER DISTRIBUTION COMPANY LTD.
TINSUKIA ELECTRICAL CIRCLE
TINSUKIA
ASSAM

Advocate for : MR INDRAJIT CHANDRA DEKA
Advocate for : appearing for THE ASSAM POWER DISTRIBUTION COMPANY LTD

BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA
HONOURABLE MR. JUSTICE NCHUMBEMO MOZHUI

ORDER

Date : 16.11.2026
(M. Zothankhuma, J)

Heard Mr. I. C. Deka, learned counsel for the applicant, who submits that there is a delay of 64 days in filing the connected appeal against the judgment and order dated 14.07.2026 passed in WP(C) 9330/2019.

2. Ms. U. Sarma, learned counsel appears on behalf of Mr. S. P. Sarma, learned counsel for the respondent/Assam Power Distribution Company Limited.

3. The applicant's main ground for the delayed filing of the appeal is that due to the devastating floods that had occurred on 19.07.2026 in Sivsagar, Charaideu and Jorhat District of Upper Assam, all rail communications had been suspended and road communications had been blocked. Further, the flood had affected the applicant from getting the basic daily wage and proper food items, which took up most of the time of the applicant. He was also required to give a helping hand to his family, other relatives

and neighbours, who were affected by the floods. It was in view of the above facts that there has been a delay in filing the appeal.

4. The counsel for the respondent, on the other hand, submits that the reason for the delay for 64 days was not justified, in the absence of any day to day explanation given by the applicant. She accordingly submits that the application should be rejected.

5. We have heard the learned counsels for the parties.

6. On considering the devastating effects of the floods that had occurred in Upper Assam on 19.07.2026, which had caught the attention of the entire Country, we are inclined to condone the delay, as we find that sufficient cause for the delay has been made out.

7. Accordingly, the delay is condoned.

8. Registry to register the connected appeal and list the same accordingly.

9. The IA is accordingly disposed of.

JUDGE **JUDGE**

Comparing Assistant