GAHC010288032025

2026:GAU-AS:14789-DB

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

Case No. : I.A.(Civil)/1776/2026

THE UNION OF INDIA AND 3 ORS.
REPRESENTED BY THE SECRETARY, GOVT. OF INDIA, MINISTRY OF HOME AFFAIRS, NEW DELHI-110001.

2: THE DEPUTY INSPECTOR GENERAL
CENTRAL INDUSTRIAL SECURITY FORCE
NORTH EASTERN ZONE HQR
HOCKEY STADIUM ROAD
NEAR A.G. COLONY
BEHARBARI
GUWAHATI- 781029

3: THE SENIOR COMMANDANT
CENTRAL INDUSTRIAL SECURITY FORCE
UNIT OIL DULIAJAN
DIST- DIBRUGARH
ASSAM- 786602

4: THE ASSISTANT COMMANDANT/ EXECUTIVE
CENTRAL INDUSTRIAL SECURITY FORCE
UNIT OIL DULIAJAN
DIST- DIBRUGARH
ASSAM- 78660

VERSUS

GOUTAM KUMAR MANDAL
S/O LATE SITARAM MANDAL, CISF NO. 032300178, INSPECTOR/EXECUTIVE, INDUSTRIAL SECTOR, CISF- UNIT OIL DULIAJAN, DIST- DIBRUGARH, ASSAM-786602 PERMANENT ADDRESS- VILL. AND P.O.- PIRARGORIA, P.S.- MANBAZAR, DIST.-PURULIA, WEST BENGAL- 723131.

Advocate for the Petitioner : MR. B CHAKRAVARTY (C.G.C.),

Advocate for the Respondent : K RAHMAN, MR. SAIDUL ALOM

-BEFORE-

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

05.10.2026
(K. Goswami, J)

Heard Mr. B. Chakravarty, learned Central Government Counsel for the applicants/*Union of India & 3 Ors.* and Mr. K. Rahman, learned Advocate for the sole respondent.

2. This application has been filed for condoning the delay of 127 days in preferring the connected writ appeal against the judgment dated 15.07.2025 passed by a learned Single Judge of this Court in WP(C) No.3472/2022.

3. Being aggrieved by the aforesaid judgment, the applicants preferred the connected writ appeal. However, as the appeal could not be instituted within the prescribed period of limitation, there is a delay of 127 days in filing the same, for which the present application has been preferred.

4. The explanations furnished in the application are that after the judgment dated 15.07.2025, the matter was sent through the concerned CISF offices for clarification and legal opinion. The Ministry of Law and Justice approved filing the appeal on 24.09.2025 and the decision was communicated on 26.09.2025. As the Gauhati High Court was on

vacation from 28.09.2025 to 10.10.2025, the matter was taken up with the concerned counsel after reopening and was allotted on 17.10.2025. The brief was handed over on 28.10.2025, after which the counsel examined the papers and sent the draft appeal for vetting on 06.12.2025. The file was thereafter processed and after completion of the necessary formalities, the appeal was filed with a delay of 127 days.

5. Mr. Chakravarty, learned Central Government Counsel for the applicants submits that the delay was neither deliberate nor intentional, but occurred on account of unavoidable circumstances which were beyond the control of the applicants, which may accordingly be condoned.

6. *Per contra*, learned Advocate appearing for the sole respondent objected to the delay of condonation on the ground of the delay being not sufficiently explained.

7. 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. The delay appears to have resulted from the time taken in obtaining legal advice and completing the requisite formalities and was neither deliberate nor mala fide.

8. In the facts and circumstances of the present case, sufficient causes having been shown, the delay of 127 days in preferring the connected writ appeal is condoned.

9. The interlocutory application stands allowed and disposed off.

10. Registry to process the connected writ appeal and list the same on **27.11.2026** under the appropriate heading.

JUDGE **CHIEF JUSTICE**

Comparing Assistant