

GAHC010007492026



2026:GAU-AS:4075-DB

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

**Case No. : I.A.(Civil)/139/2026**

BHUMIDHAR DEKA AND 2 ORS  
S/O LATE UMA KANTA DEKA, R/O VILL. SANTIPUR, P.O. NIZ SANTIPUR,  
P.S. BARAMA, DIST .BAKSA (BTAD, ASSAM, ASSTT. TEACHER OF NATUN  
HAWLY M.E. SCHOOL.

2: NANDA KALITA

S/O LATE JANIK RAM KALITA  
R/O VIL. GHOWARKUCHI  
P.O. GHOGRAPAR  
P.S. GHOGRAPAR  
DIST. NALBARI  
ASSAM  
ASSTT. TEACHER OF HONGSHOBIL M.E. SCHOOL

3: TAPAN HALOI  
S/O LATE GOBINDA HALOI  
R/O VILL. BARSIMALUGURI  
P.O. BARSIMALUGURI  
P.S. BARAMA  
DIST. BAKSA (BTAD)  
ASSAM  
ASSTT. TEACHER OF UTTAR KHOIRABARI ADARSHA M.E. SCHOOL

VERSUS

THE STATE OF ASSAM AND 9 ORS  
REPRESENTED BY THE COMMISSIONER AND SECY. TO THE GOVT. OF  
ASSAM, EDUCATION (ELEMENTARY) DEPTT., DISPUR, GUWAHATI 781006

2:THE DEPTT OF FINANCE

REPRESENTED BY THE COMMISSIONER AND SECY. TO THE GOVT. OF  
ASSAM

DISPUR  
GUWAHATI 06

3:W.P.T AND B.C. DEPTT.  
REPRESENTED BY THE COMMISSIONER AND SECY.  
DISPUR  
GUWAHATI 06

4:THE BODOLAND TERRITORIAL COUNCIL

REPRESENTED BY THE SECY.  
DEPTT. OF EDUCATION  
KOKRAJHAR  
PIN 783370

5:THE PRINCIPAL SECY.

BODOLAND TERRITORIAL COUNCIL.

6:THE SECY.

DEPTT. OF EDUCATION  
BODOLAND TERRITORIAL COUNCIL  
KOKRAJHAR.

7:THE DIRECTOR OF EDUCATION

BODOLAND TERRITORIAL COUNCIL  
KOKRAJHAR TOWN  
DIST. KOKRAJHAR  
ASSAM.

8:THE JOINT SECY.

BODOLAND TERRITORIAL COUNCIL  
KOKRAJHAR.

9:THE BLOCK ELEMENTARY EDUCATION BLOCK

TAMULPUR  
ASSAM.

10:THE DEPUTY INSPECTOR OF SCHOOLS

BAKSA

**Advocate for the Petitioner** : MR. S K GOSWAMI, MR. R SHARMA

**Advocate for the Respondent : SC, ELEM. EDU, SC, BTC**

Linked Case : CRP/0/0

SRI BHUMIDHAR DEKA  
ASSAM

VERSUS

THE STATE OF ASSAM  
REPRESENTED BY THEBRCOMMISSIONER SECRETARY TO  
THEBRGOVERNMENT OF ASSAM  
ELEMENTARY8GUWAHATI- 781006.

-----  
Advocate for : MR. S K GOSWAMI  
Advocate for : appearing for THE STATE OF ASSAM

**BEFORE**  
**HONOURABLE MR. JUSTICE KALYAN RAI SURANA**  
**HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND**

**ORDER**

**Date : 20.03.2026**  
(K.R. Surana, J)

Heard Mr. S.K. Goswami, learned counsel for the applicants. Also heard Mr. S.K. Talukdar, learned standing counsel for the respondent no.1; Mr. R. Borpujari, learned standing counsel for the respondent no.2; Mr. R. Dhar, learned standing counsel for the respondent no.3; and Ms. M. Buragohain, learned counsel appearing on behalf of Mr. A.K. Bhuyan, learned counsel for the respondent nos.4 to 10.

2. By filing this interlocutory application under section 5 of the Limitation

Act, the applicants have prayed for condoning the delay of 128 days beyond the period of limitation in filing the connected appeal against the judgment and order dated 14.07.2025, passed in WP(C) No.5739/2017.

3. Although the learned counsel for the respondents have objected to the prayer, but considering the explanation tendered, the Court is of the considered opinion that the applicants have been able to make out a ground for explaining the delay, which is accepted to be sufficient cause which had prevented the applicants from filing the connected appeal on time.

4. Accordingly, the delay of 128 days beyond the period of limitation in filing the connected appeal is condoned.

5. This interlocutory application stands allowed.

6. Registry shall now register the connected appeal and list the same for admission.

**JUDGE**

**JUDGE**

**Comparing Assistant**