

GAHC040015532025



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

Case No. : IA(C)/228/2025

Tagri Takup and Anr
Son of Tagri Tagung, resident of Police Colony, GTC, Near Balwadi School, East
Siang, Pasighat, Arunachal Pradesh. 2: Ninya Angu
Age:
Occupation :
Son of Late Goni Angu
R/o Talem Nyitan
GTC
Near Football Playground
East Siang
Pasighat
Arunachal Pradesh

VERSUS

Apex Professional University and 11 Ors
Pasighat, Arunachal Pradesh, Represented by its Registrar, Pasighat, East Siang,
District, Arunachal Pradesh. 2:The Chancellor
Age: 0
Occupation :
Apex University
Pasighat
East Siang District
Pasighat
Arunachal Pradesh.

3:The Vice Chancellor
Age: 0
Occupation :
Apex University
Pasighat
East Siang District
Pasighat

Arunachal Pradesh.

4:The Registrar

Age: 0

Occupation :

Apex University

Pasighat

East Siang District

Pasighat

Arunachal Pradesh.

5:The Secretary

Age: 0

Occupation :

Arunachal Pradesh Private Educational Institutions (Regulatory Commission Act 2017)

6:Dr Geyin Boli

Age: 0

Occupation :

Chief Proctor

Apex Professional University

Pasighat

Smart City

Arunachal Pradesh.

7:Dr Jyotsna Raj

Age: 0

Occupation :

HOD

Faculty of Law and Forensic

Apex Professional University

Arunachal Pradesh.

8:Smti Preeti Solanki

Age: 0

Occupation :

Presiding Officer

Chairman

ICC

Apex Professional University

Pasighat

Arunachal Pradesh.

9:The Chairman

Age: 0

Occupation :

Standing Committee on Student Discipline

Apex Professional University
Pasighat
Arunachal Pradesh.

10:The DGP
Age: 0
Occupation :
PHQ
Itanagar
Govt. of Arunachal Pradesh. 791111

11:The SP
Age: 0
Occupation :
Pasighat
East Siang District
Pasighat
Arunachal Pradesh 791102

12:The Officer in Charge
Age: 0
Occupation :
Women Police Station
Pasighat
Arunachal Pradesh

Advocate for the Petitioner : Sonam Tsomo,

Advocate for the Respondent : Jyoti Zongluju,

**BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE**

ORDER

Date : 24.09.2025

Heard Mr. B. Kaushik, learned counsel for the applicant. Also heard Mr. P. Wangpan, learned counsel for the respondent Nos. 1 to 6 and Ms. P. Sangeeta, learned Government Advocate for State respondent Nos. 10, 11 & 12.

2. This application is filed seeking leave to file affidavit-in-reply in WP(C) No. 46(AP)/2023 to the affidavit-in-opposition filed by the respondent Nos. 2, 3 & 4.

3. Mr. B. Kaushik, learned counsel for the applicant, submits that on previous occasions, the proxy counsel sought an adjournment on behalf of the petitioner, but inadvertently failed to pray for time to file a rejoinder affidavit. Consequently, this Court, by an order dated 02.04.2025, having noted that no rejoinder affidavit was filed, presumed that party had waived their right to file rejoinder affidavit and accordingly directed that no affidavit shall form part of the record without leave of the Court. He submits that due to inadvertent mistake committed by the proxy counsel and in view of the order of this Court, the applicant is not able to file rejoinder affidavit. Therefore, he prays for grant of leave to file rejoinder affidavit.

4. Mr. P. Wangpan, learned counsel for the respondent Nos. 1 to 6, vehemently objected to the prayer for filing rejoinder affidavit as the applicant/writ petitioner has failed to file the rejoinder affidavit and this Court, vide order dated 02.04.2025, has rightly presumed that the applicant/petitioner

has waived his right.

5. Having considered the submissions of the learned counsel for the parties and keeping in view that the omission was inadvertent, although the learned counsel for the opposite party Nos. 1 to 6 opposed the same and in the interest of justice, I deem it appropriate to allow this interlocutory application by granting leave to file rejoinder affidavit. Accordingly, leave granted.

6. Interlocutory application stands allowed and disposed of.

JUDGE

Comparing Assistant