GAHC020004842026

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

Case No. : I.A.(Civil)/134/2026

THE NATIONAL HIGHWAYS AND INFRASTRUCTURE DEVELOPMENT CORPORATION LTD. AND ANR
REPRESENTED BY ITS MANAGING DIRECTOR (MD) HAVING ITS OFFICE AT PRINCIPAL PLACE OF BUSINESS AT PTI BUILDING, 3RD FLOOR, 4 - PARLIAMENT STREET, NEW DELHI - 110001 2: THE GENERAL MANAGER (PROJECT)
NATIONAL HIGHWAYS AND INFRASTRUCTURE DEVELOPMENT CORPORATION LTD. PROJECT MONITORING UNIT - DIMAPUR
1ST FLOOR
HOUSE NO. 63 (A)
NST COLONY
BEHIND CITY TOWER
DIMAPUR
NAGALAN

VERSUS

SHRI THEJAO SEKHOSE AND 3 ORS
S/O LATE KEDUOKIETUO SEKHOSE, PERMANENT ADDRESS, KENUOZUO COLONY, NORTH BLOCK, WARD NO. 3, T. KHEL, KOHIMA VILLAGE. PRESENT ADDRESS TSURU COLONY, SECU ZUBZA, KOHIMA NAGALAND 2:THE STATE OF NAGALAND
REPRESENTED BY THE CHIEF SECRETARY
GOVT. OF NAGALAND
KOHIMA

3:THE DEPUTY COMMISSIONER
KOHIMA
NAGALAND

4:THE SUB-DIVISIONAL OFFICER (CIVIL)
SECU ZUBZA
KOHIMA
NAGALAND

Advocate for the Petitioner : K SHIJOH,

Advocate for the Respondent : ,

Linked Case : WA/28/2026

THE NATIONAL HIGHWAYS AND INFRASTRUCTURE DEVELOPMENT CORPORATION LTD. AND ANR
REPRESENTED BY ITS MANAGING DIRECTOR (MD) HAVING ITS OFFICE AT PRINCIPAL PLACE OF BUSINESS AT PTI BUILDING
3RD FLOOR
4 - PARLIAMENT STREET
NEW DELHI - 110001

2: THE GENERAL MANAGER (PROJECT)
NATIONAL HIGHWAYS AND INFRASTRUCTURE DEVELOPMENT CORPORATION LTD. PROJECT MONITORING UNIT - DIMAPUR
1ST FLOOR
HOUSE NO. 63 (A)
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S/O LATE KEDUOKIETUO SEKHOSE
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T. KHEL
KOHIMA VILLAGE. PRESENT ADDRESS TSURU COLONY
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KOHIMA NAGALAND

2:THE STATE OF NAGALAND
REPRESENTED BY THE CHIEF SECRETARY
GOVT. OF NAGALAND
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3:THE DEPUTY COMMISSIONER
KOHIMA
NAGALAND

4:THE SUB-DIVISIONAL OFFICER (CIVIL)
SECU ZUBZA
KOHIMA NAGALAND

Advocate for : P J SAIKIA
Advocate for : T. KHEZHIE appearing for SHRI THEJAO SEKHOSE AND 3 ORS

Linked Case : I.A.(Civil)/135/2026

THE NATIONAL HIGHWAYS AND INFRASTRUCTURE DEVELOPMENT CORPORATION LTD. AND ANR
REPRESENTED BY ITS MANAGING DIRECTOR (MD) HAVING ITS OFFICE AT PRINCIPAL PLACE OF BUSINESS AT PTI BUILDING
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2:THE STATE OF NAGALAND
REPRESENTED BY THE CHIEF SECRETARY
GOVT. OF NAGALAND KOHIMA

3:THE DEPUTY COMMISSIONER
KOHIMA NAGALAND

4:THE SUB-DIVISIONAL OFFICER (CIVIL)
SECU ZUBZA KOHIMA NAGALAND

Advocate for : K SHIJOH
Advocate for : appearing for SHRI THEJAO SEKHOSE AND 3 ORS

BEFORE
HON'BLE MR. JUSTICE BUDI HABUNG
HON'BLE MR. JUSTICE PRANJAL DAS

ORDER

Date : 11.11.2026
(Budi Habung, J.)

Heard Mr. P. J. Saikia, learned senior counsel, assisted by Mr. Moa Jamir, learned counsel, appearing on behalf of the applicants. Also heard Mr. Alezo Kire, learned counsel, appearing on behalf of Opposite Party No. 1.

2. This application under Section 2(2) of Chapter V-A of the Gauhati High Court Rules, has been filed seeking condonation of delay of 120 days in preferring the connected appeal against the judgment & order dated 20.01.2026 passed in WP(c)94/2022.

3. The grounds for delay in not preferring the connected appeal within the stipulated time, has been explained by the applicants in paragraphs No. 5, 6, 7 & 8 of this application.

4. The applicants attributed the delay in preferring the connected appeal by referring to the delivery of judgment by this Court from the Principal Seat, Guwahati, via Remote Video Conferencing(RVC) on 20.01.2026, due to which, there has been some delay in receiving the information regarding delivery of judgment and in obtaining the certified copy of the order. The applicants also attributed the delay in preferring the connected appeal to the cumbersome administrative procedure including appraisal of the matter to their higher authority, obtaining approvals from the Project Monitoring Unit(PMU) Office located at Dimapur as well as from the Regional Office located at

Kohima and thereafter, obtaining the necessary approval and signature from the competent authority at New Delhi, in preferring the connected appeal before this Court.

5. The respondent/Opposite Party No. 1 has opposed this interlocutory application contending that the delay of 120 days in preferring the connected appeal has not been properly explained by the applicants more particularly for the dates in between 28.02.2026 to 05.05.2026 which remained unexplained.

6. We have considered the rival submissions advanced by the parties and perused the materials including the affidavit-in-reply filed by the applicants as well as the Official records produced today by the applicants. The applicants have explained that since the matter required examination and approval at different levels from the different authorities concerned and that the movement of Files involved several authorities who are situated at different locations, consumed considerable time.

7. Although the delay of 120 days in preferring the connected appeal has not been satisfactorily explained by the applicants, in respect of every intervening period, however, the chronology of events *read with* the affidavit-in-reply filed by the applicants and on perusal of the Official records produced by the applicants today, indicates that steps were taken by the applicants at different levels for preferring the connected appeal before this Court against the judgment & order dated 20.01.2026 passed in WP(c)94/2022.

8. Upon hearing the learned counsels for the parties and on perusal of the explanations stated in the above-noted paragraphs and

having regard to the overall circumstances leading to the preferring of the connected appeal; this Court is inclined to take a liberal view in condoning the delay of 120 days in preferring the appeal by the applicants in the interest of justice.

9. Accordingly, the delay of 120 days in preferring the connected appeal is hereby condoned.

10. The interlocutory application accordingly stands allowed and disposed of.

11. The connected writ appeal shall be listed for consideration on merit in the 2nd Week of January, 2027, on a date to be fixed by the Registry.

JUDGE **JUDGE**

Comparing Assistant