GAHC020001532026

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

Case No. : I.A.(Civil)/39/2026

SMTI. A. TENMEI PHOM
D/O SHRI. A. ANGAI PHOM, R/O AGRI COLONY, LONGLENG TOWN, LONGLENG, NAGALAND.

VERSUS

THE STATE OF NAGALAND AND 3 ORS
REPRESENTED BY THE CHIEF SECRETARY, GOVT. OF NAGALAND, NAGALAND, KOHIMA

2:THE COMMISSIONER AND SECRETARY
DEPARTMENT OF HEALTH AND FAMILY WELFARE
NAGLAND
KOHIMA

3:THE PRINCIPAL DIRECTOR
DEPARTMENT OF HEALTH AND FAMILY WELFARE

NAGALAND
KOHIMA

4:SHRI LUNDANKHIUNG YIM
S/O SHRI YONGLIMKIU YIMCHUNGER
PERMANENT RESIDENT OF PUNGRO TOWN
P.O. PS. PUNGRO
KIPHIRE
NAGALAN

Advocate for the Petitioner : SHISA JAMIR,

Advocate for the Respondent : ,

BEFORE
HON'BLE MR. JUSTICE N. UNNI KRISHNAN NAIR
HON'BLE MRS. JUSTICE YARENJUNGLA LONGKUMER

ORDER

Date : 07-10-2026
[N. Unni Krishnan Nair, J]

Heard Mr. Moa Jamir, learned counsel for the applicant. Also heard Ms. Inaholi, learned Government Advocate appearing for the State respondents.

2. The present Interlocutory Application has been instituted by the applicant invoking the provisions of Section 5 of the Limitation Act, 1963, with a prayer for condonation of delay of 100 days in instituting the connected writ appeal.

3. Notices in the matter was issued on 18.03.2026. However, till date, no objections have been filed by any of the respondents. Further, earlier the respondent No. 4 was represented, however, the learned counsel appearing for the respondent No. 4 had withdrawn his Vakalatnama, which was permitted by this Court vide an order dated 02.09.2026.

4. Considering the nature of the order to be passed in the present proceedings, service of further notice to the respondent No. 4 is deemed to be not necessary.

5. The applicant, herein, was the respondent No. 4 in W.P.(C) No. 116/2023, and his appointment, therein, was challenged by the petitioner therein, the learned Single Judge had vide judgment and order dated 02.12.2025, interfered with the appointment of the applicant, herein.

6. Accordingly, the applicant has assailed the judgment and order dated 02.12.2025, by way of instituting the connected writ appeal.

7. The learned counsel for the respondents No. 1, 2 and 3 have not seriously objected to the condonation of delay occasioned in instituting the connected writ appeal.

8. In view of the above, the prayer for condonation of delay as made in the present application stands allowed.

9. Accordingly, the delay of 100 days in filing the connected appeal stands condoned.

The Interlocutory Application stands disposed of.

Sd/- Sd/-

JUDGE **JUDGE**

Comparing Assistant